

UNOFFICIAL VERSION

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THURSDAY, JUNE 4, 2020

SIXTIETH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 10:00 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer, via video, by Reverend Willie J. Gallaher of St. Mary's Missionary Baptist Church in Harriman, Tennessee, a guest of Senator Yager.

PLEDGE OF ALLEGIANCE

Senator Yager led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Yager led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

STANDING COMMITTEE REPORTS

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 247 with amendment, 1778 with amendment, 2187 with amendment, 2821 with amendment and 2826 with amendment; also, recommend that Senate Bills Nos. 2485, 2667 with amendment and 2898 with amendment be referred to Committee on Finance, Ways and Means.

DICKERSON, Chairperson
June 2, 2020

The Speaker announced that he had referred Senate Bills Nos. 247 with amendment, 1778 with amendment, 2187 with amendment, 2821 with amendment and 2826 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 2485, 2667 with amendment and 2898 with amendment to Committee on Finance, Ways and Means.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1896 with amendment and 2741; and Senate Joint Resolution No. 849; also, recommend that Senate Bill No. 2734 with amendment be referred to Committee on Finance, Ways and Means.

BELL, Chairperson
June 2, 2020

The Speaker announced that he had referred Senate Bills Nos. 1896 with amendment and 2741; and Senate Joint Resolution No. 849 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 2734 with amendment to Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1685 with amendment and 1700 with amendment.

ROBERTS, Chairperson
June 3, 2020

The Speaker announced that he had referred Senate Bills Nos. 1685 with amendment and 1700 with amendment to the Committee on Calendar.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1247 with amendment and 2342 with amendment; also, recommend that Senate Bill No. 1974 with amendment be referred to Committee on Finance, Ways and Means.

GRESHAM, Chairperson
June 3, 2020

The Speaker announced that he had referred Senate Bills Nos. 1247 with amendment and 2342 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 1974 with amendment to Committee on Finance, Ways and Means.

TRANSPORTATION AND SAFETY

MR. SPEAKER: Your Committee on Transportation and Safety begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 1589 with amendment;

MASSEY, Chairperson
June 3, 2020

The Speaker announced that he had referred Senate Bill No. 1589 with amendment to the Committee on Calendar.

COMMERCE AND LABOR

MR. SPEAKER: Your Committee on Commerce and Labor begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2207 with amendment and 2843 with amendment.

BAILEY, Chairperson
June 3, 2020

The Speaker announced that he had referred Senate Bills Nos. 2207 with amendment and 2843 with amendment to the Committee on Calendar.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 2312 with amendment.

WATSON, Chairperson
June 4, 2020

The Speaker announced that he had referred Senate Bill No. 2312 with amendment to the Committee on Calendar.

MOTION

Senator Johnson moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 2936** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

Senate Bill No. 2936 by Senator Gresham.

Hardin County -- Subject to local approval, increases from six to eight members on the Hardin County General Hospital Board of Commissioners. Amends Chapter 409 of the Private Acts of 1957; as amended.

MOTION

Senator Johnson moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 38, 1628, 1642, 1822, 1852, 1855, 1870, 1946, 2045, 2099, 2108, 2119, 2120, 2153, 2154, 2156, 2254, 2259, 2312, 2355, 2408, 2467, 2483, 2488, 2568,**

2585, 2588, 2615, 2660, 2727, 2769, 2776 and 2805 be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 38 -- Local Education Agencies -- As introduced, changes, from 10 days to 10 business days, the period for which public notice must be given in advance of an LEA's acceptance of bids for contracts for the construction of a school building, or an addition to an existing school building, the cost of which exceeds \$10,000. Amends TCA Title 49.

House Bill No. 1628 -- Consumer Protection -- As introduced, creates a reward for information leading to the recovery of a civil penalty against a person who knowingly causes any caller identification service to transmit misleading or inaccurate caller identification information to a subscriber with the intent to defraud or cause harm to another person or to wrongfully obtain anything of value. Amends TCA Title 40 and Title 47, Chapter 18.

House Bill No. 1642 -- Alcoholic Beverages -- As introduced, designates the Tennessee State Fairgrounds in Nashville as an urban park center; authorizes the granting of a franchise for the provision of food or beverage, including alcoholic beverages, on its premises; specifies that the holder of such franchise is also considered an urban park center. Amends TCA Title 57, Chapter 4.

House Bill No. 1822 -- Education -- As introduced, authorizes LEAs serving any of the grades three through 12 to offer advanced mathematics courses; requires an LEA that offers advanced mathematics courses to place students achieving a benchmark score as determined by the state board of education on the end-of-grade or end-of-course test in mathematics in an advanced course for the next mathematics course in which the student will enroll; adds other requirements concerning advanced mathematics courses. Amends TCA Title 49.

House Bill No. 1852 -- Juvenile Offenders -- As introduced, requires the supervising official at a secure detention or correctional facility housing juveniles to immediately report any security breach to local law enforcement; allows supervising official failing to report to be charged with the offense of permitting or facilitating escape; requires the department of children's services to include additional information in the department's annual report. Amends TCA Title 37 and Title 39.

House Bill No. 1855 -- Local Education Agencies -- As introduced, requires each LEA to install technology on its computers to filter or block inappropriate websites and information otherwise accessible through the internet; requires each LEA to review its internet acceptable use policy and the technology installed on its computers to filter or block inappropriate websites and information otherwise accessible through the internet no later than January 1, 2021, and at least once every three years thereafter. Amends TCA Title 49.

House Bill No. 1870 -- Traffic Safety -- As introduced, clarifies that the present law requiring drivers of motorcycles to wear a helmet applies to drivers of autocycles that are not fully enclosed. Amends TCA Title 55, Chapter 9, Part 3.

House Bill No. 1946 -- Professions and Occupations -- As introduced, allows members of the United States armed forces and honorably discharged veterans who receive certified occupational training as a member of the United States armed forces to receive equivalent credit

toward an occupational license relating to the training received. Amends TCA Title 58; Title 62 and Title 63.

House Bill No. 2045 -- Pensions and Retirement Benefits -- As introduced, increases to \$75 the minimum amount that the state will match to an employee's optional retirement plan. Amends TCA Section 3-9-103; Title 8, Chapter 25; Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37.

House Bill No. 2099 -- Boards and Commissions -- As introduced, authorizes state agencies attached to the division of regulatory boards and the division of health-related boards to conduct emergency meetings by teleconference when called by the presiding officer or upon petition by a majority of the members of such agencies. Amends TCA Title 8, Chapter 44, Part 1; Title 62 and Title 63.

House Bill No. 2108 -- Firearms and Ammunition -- As introduced, allows law enforcement officers to carry handguns in posted areas under certain circumstances. Amends TCA Title 39, Chapter 17.

House Bill No. 2119 -- Correctional Programs -- As introduced, expands TRICOR's authorization to develop joint ventures with the private sector to include joint ventures with nonprofit businesses and governmental entities. Amends TCA Section 41-22-116.

House Bill No. 2120 -- Correctional Programs -- As introduced, authorizes TRICOR to enter contractual agreements with counties and cities to provide work training programs for prisoners incarcerated in county and city jails. Amends TCA Title 41, Chapter 22, Part 4.

House Bill No. 2153 -- Federal Aid -- As introduced, changes the date, from March 1 to March 15, by which the fiscal review committee staff must provide the general assembly's finance, ways and means committees information regarding state programs that have suffered reductions of federal financial support in the amount of 10 percent or more during the preceding year. Amends TCA Title 3; Title 4; Title 9; Title 12, Chapter 4; Title 13; Title 41; Title 42; Title 49; Title 54; Title 55 and Title 71.

House Bill No. 2154 -- Workers Compensation -- As introduced, changes from July 1 to January 31 the date by which the bureau of workers' compensation must report its findings on the impact of the Workers' Compensation Reform Act of 2013 on the workers' compensation system in this state to each member of the general assembly; requires the bureau to provide an annual presentation of its findings by January 31 each year to the consumer and human resources committee of the house of representatives and the commerce and labor committee of the senate. Amends TCA Title 4; Title 50, Chapter 6 and Title 56.

House Bill No. 2156 -- Public Funds and Financing -- As introduced, changes from January 31 to March 1, the date by which the commissioner of economic and community development must report to the general assembly on the administration of the program allocating the state's bond authority among governmental units having authority to issue bonds. Amends TCA Title 3; Title 4; Title 8; Title 9 and Title 12.

House Bill No. 2254 -- Boards and Commissions -- As introduced, transfers responsibility for administration of the Tennessee sports hall of fame from the commissioner of tourist development to the hall's board of directors and makes other changes concerning the sports hall of fame. Amends TCA Title 4, Chapter 3, Part 22 and Title 4, Chapter 3, Part 54.

House Bill No. 2259 -- Juvenile Offenders -- As introduced, requires the juvenile court clerk and the department of mental health and substance abuse services to report certain juvenile justice information to the administrative office of the courts each month; deletes certain reporting to the council of juvenile and family court judges. Amends TCA Title 37, Chapter 1.

House Bill No. 2312 -- Consumer Protection -- As introduced, clarifies that wireless communication includes text messages sent and received on smart devices for purposes of the Anti-Phishing Act of 2006. Amends TCA Title 39 and Title 47, Chapter 18.

House Bill No. 2355 -- Alcoholic Beverages -- As introduced, allows a manufacturer to sell product transferred between different sites owned by the same manufacturer upon certain conditions. Amends TCA Section 57-3-202.

House Bill No. 2408 -- Education -- As introduced, creates the robotics education task force to research opportunities for expansion of robotics education programs in the kindergarten through grade 12 curriculum. Amends TCA Title 49.

House Bill No. 2467 -- Election Laws -- As introduced, authorizes the county election commission to notify individuals filing a petition for recall, referendum, or initiative to notify the individuals of any defects in the petition that must be cured prior to certification for final approval. Amends TCA Title 2.

House Bill No. 2483 -- Juries and Jurors -- As introduced, allows a breastfeeding mother to be excused from serving as a juror; requires a breastfeeding mother to provide the court with a supporting medical statement from a licensed physician and take any action necessary to obtain a ruling on a request to be excused no later than the date that the person is scheduled to appear for jury duty. Amends TCA Title 22, Chapter 1 and Title 22, Chapter 2.

House Bill No. 2488 -- Financial Disclosure -- As introduced, reduces the number of filing dates for campaign finance disclosures to quarterly in election years and semiannually in non-election years. Amends TCA Title 2, Chapter 10.

House Bill No. 2568 -- Abortion -- As introduced, requires any facility in which more than 50 abortions were performed during the previous calendar year to post a sign informing patients that a chemical abortion may be reversed following the first dose of a two-dose treatment; requires a patient to receive similar notice prior to and after having the first dose of a chemical abortion; provides criminal penalties and civil actions for any violation of the act. Amends TCA Title 11; Title 39, Chapter 15, Part 2; Title 63 and Title 68.

House Bill No. 2585 -- Criminal Offenses -- As introduced, requires a law enforcement officer to notify the department of children's services when a person under 18 years of age is taken into custody for suspicion of committing the offense of prostitution. Amends TCA Title 39, Chapter 13, Part 5.

House Bill No. 2588 -- Child Custody and Support -- As introduced, requires that a 30-minute video on adverse childhood experiences be shown to parents attending the parent educational seminar. Amends TCA Title 36, Chapter 6.

House Bill No. 2615 -- Juvenile Offenders -- As introduced, expands the unruly act of illegal use of a communication device by a minor to include possessing or transmitting an image of sexual

activity involving a minor. Amends TCA Title 37, Chapter 1, Part 1; Title 39, Chapter 13, Part 5 and Title 39, Chapter 17, Part 10.

House Bill No. 2660 -- Civil Procedure -- As introduced, provides that a person who uses justifiable force against another may request a stay of proceedings in any civil action based on the use of force until the criminal investigation has concluded; creates an immunity hearing at which the court may dismiss an action that is barred by immunity. Amends TCA Title 39.

House Bill No. 2727 -- General Services, Dept. of -- As introduced, clarifies that the fiscal review committee must be allowed to review noncompetitive procurement agreements; requires the chief procurement officer to report procurement contracts monthly to the fiscal review committee; revises various other provisions related to procurement of state contracts. Amends TCA Title 3; Title 4; Title 8; Title 9; Title 12 and Title 49.

House Bill No. 2769 -- Criminal Offenses -- As introduced, adds the offense of trafficking a person for a commercial sex act to the meaning of predatory offenses for purposes of sentencing a person as a child sexual predator. Amends TCA Title 39, Chapter 13, Part 5.

House Bill No. 2776 -- Economic and Community Development -- As introduced, defines the terms "economic development" and "project" to include incentives that promote the development of single-family housing, for purposes of laws governing projects by industrial development corporations and contributions to industrial development corporations by municipalities. Amends TCA Title 6, Chapter 54 and Title 7, Chapter 53.

House Bill No. 2805 -- State Government -- As introduced, prohibits state entities subject to review under the Tennessee governmental entity review law from promulgating rules or adopting policies to exempt members of such entities from rulemaking or policy requirements solely by virtue of their status as members. Amends TCA Title 4, Chapter 29, Part 1.

MOTION

Senator Johnson moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 2929 through 2930 and 2934 through 2935** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 2929 Local bill -- held on desk.

Senate Bill No. 2930 Local bill -- held on desk.

Senate Bill No. 2934 Local bill -- held on desk.

Senate Bill No. 2935 referred to the Committee on Finance, Ways and Means.

MOTION

Senator Johnson moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 1318 through 1329**; and **Senate Resolution No. 163** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 1318 by Senator Lundberg.
Memorials, Recognition -- Eastman, 100th anniversary.

Senate Joint Resolution No. 1319 by Senator Hensley.
Memorials, Academic Achievement -- Joseph Collie, Tenth Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1320 by Senator Hensley.
Memorials, Academic Achievement -- Caleb Carroll, Ninth Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1321 by Senator Hensley.
Memorials, Academic Achievement -- Lathan Powers, Eighth Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1322 by Senator Hensley.
Memorials, Academic Achievement -- Cole Humphreys, Seventh Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1323 by Senator Hensley.
Memorials, Academic Achievement -- Addison Johns, Sixth Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1324 by Senator Hensley.
Memorials, Academic Achievement -- Allison Jackson, Fifth Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1325 by Senator Hensley.
Memorials, Academic Achievement -- Avery Potts, Fourth Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1326 by Senator Hensley.
Memorials, Academic Achievement -- Calli Dye, Third Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1327 by Senator Hensley.
Memorials, Academic Achievement -- Rachel King, Salutatorian, Lewis County High School.

Senate Joint Resolution No. 1328 by Senator Hensley.
Memorials, Academic Achievement -- Abagayle Brock, Valedictorian, Lewis County High School.

Senate Joint Resolution No. 1329 by Senator Crowe.
Memorials, Sports -- East Tennessee State University Buccaneers men's basketball team.

Senate Resolution No. 163 by Senator Reeves.
Memorials, Interns -- James Harris.

MOTION

Senator Johnson moved, pursuant to Rule 21, **House Joint Resolutions Nos. 748, 827, 1046 through 1158 and 1160 through 1192**; and **Senate Joint Resolutions Nos. 1300 through 1317**; and **Senate Resolutions Nos. 160 through 162** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 748 -- General Assembly, Statement of Intent or Position -- Reaffirms that Tennessee is a sanctuary for the right of law-abiding citizens to keep and bear arms.

The Speaker announced that he had referred House Joint Resolution No. 748 to the Committee on Judiciary.

House Joint Resolution No. 827 -- Memorials, Congress -- Expresses support for H.R. 1954, the Cellphone Jamming Reform Act of 2019.

The Speaker announced that he had referred House Joint Resolution No. 827 to the Committee on State and Local Government.

House Joint Resolution No. 1046 -- Memorials, Recognition -- Motlow State Community College, 50th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1046 to the Committee on Calendar.

House Joint Resolution No. 1047 -- Memorials, Recognition -- 2020 World's Biggest Fish Fry Princess Court.

The Speaker announced that he had referred House Joint Resolution No. 1047 to the Committee on Calendar.

House Joint Resolution No. 1048 -- Memorials, Death -- Fred L. Davis.

The Speaker announced that he had referred House Joint Resolution No. 1048 to the Committee on Calendar.

House Joint Resolution No. 1049 -- Memorials, Death -- Lawrence Johnson III.

The Speaker announced that he had referred House Joint Resolution No. 1049 to the Committee on Calendar.

House Joint Resolution No. 1050 -- Memorials, Death -- Reverend Dr. Loyal Edward Featherstone.

The Speaker announced that he had referred House Joint Resolution No. 1050 to the Committee on Calendar.

House Joint Resolution No. 1051 -- Memorials, Recognition -- Shirley Ann Brewer Curry.

The Speaker announced that he had referred House Joint Resolution No. 1051 to the Committee on Calendar.

House Joint Resolution No. 1052 -- Memorials, Death -- Eugene Blake McCampbell.

The Speaker announced that he had referred House Joint Resolution No. 1052 to the Committee on Calendar.

House Joint Resolution No. 1053 -- Memorials, Retirement -- Lloyd Hansen.

The Speaker announced that he had referred House Joint Resolution No. 1053 to the Committee on Calendar.

House Joint Resolution No. 1054 -- Memorials, Death -- J. Ralph Deal.

The Speaker announced that he had referred House Joint Resolution No. 1054 to the Committee on Calendar.

House Joint Resolution No. 1055 -- Memorials, Recognition -- 65 Roses Month for Cystic Fibrosis Awareness, June 2020.

The Speaker announced that he had referred House Joint Resolution No. 1055 to the Committee on Health and Welfare.

House Joint Resolution No. 1056 -- Memorials, Interns -- Kiera Walter.

The Speaker announced that he had referred House Joint Resolution No. 1056 to the Committee on Calendar.

House Joint Resolution No. 1057 -- Memorials, Academic Achievement -- Taylor Hardin, Valedictorian, Perry County High School.

The Speaker announced that he had referred House Joint Resolution No. 1057 to the Committee on Calendar.

House Joint Resolution No. 1058 -- Memorials, Academic Achievement -- Jase Horner, Salutatorian, Perry County High School.

The Speaker announced that he had referred House Joint Resolution No. 1058 to the Committee on Calendar.

House Joint Resolution No. 1059 -- Memorials, Academic Achievement -- Elizabeth Paige Brasher, Valedictorian, Riverside High School.

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The Speaker announced that he had referred House Joint Resolution No. 1059 to the Committee on Calendar.

House Joint Resolution No. 1060 -- Memorials, Academic Achievement -- Bailey Nicole Sanders, Salutatorian, Riverside High School.

The Speaker announced that he had referred House Joint Resolution No. 1060 to the Committee on Calendar.

House Joint Resolution No. 1061 -- Memorials, Academic Achievement -- Allison Yarbrow, Valedictorian, Scotts Hill High School.

The Speaker announced that he had referred House Joint Resolution No. 1061 to the Committee on Calendar.

House Joint Resolution No. 1062 -- Memorials, Academic Achievement -- Reagan Hicks, Salutatorian, Scotts Hill High School.

The Speaker announced that he had referred House Joint Resolution No. 1062 to the Committee on Calendar.

House Joint Resolution No. 1063 -- Memorials, Academic Achievement -- Mason Callahan Sanders, Valedictorian, Lexington High School.

The Speaker announced that he had referred House Joint Resolution No. 1063 to the Committee on Calendar.

House Joint Resolution No. 1064 -- Memorials, Academic Achievement -- Karlee Elizabeth Willis, Salutatorian, Lexington High School.

The Speaker announced that he had referred House Joint Resolution No. 1064 to the Committee on Calendar.

House Joint Resolution No. 1065 -- Memorials, Academic Achievement -- Lillie Elise McCarver, Valedictorian, Chester County High School.

The Speaker announced that he had referred House Joint Resolution No. 1065 to the Committee on Calendar.

House Joint Resolution No. 1066 -- Memorials, Academic Achievement -- Claire Elizabeth Maxon, Salutatorian, Chester County High School.

The Speaker announced that he had referred House Joint Resolution No. 1066 to the Committee on Calendar.

House Joint Resolution No. 1067 -- Memorials, Death -- Buster Thomas.

The Speaker announced that he had referred House Joint Resolution No. 1067 to the Committee on Calendar.

House Joint Resolution No. 1068 -- Memorials, Death -- Hillas Swindle.

The Speaker announced that he had referred House Joint Resolution No. 1068 to the Committee on Calendar.

House Joint Resolution No. 1069 -- Memorials, Death -- James Demps Breeding.

The Speaker announced that he had referred House Joint Resolution No. 1069 to the Committee on Calendar.

House Joint Resolution No. 1070 -- Memorials, Death -- George Hathes Ritter.

The Speaker announced that he had referred House Joint Resolution No. 1070 to the Committee on Calendar.

House Joint Resolution No. 1071 -- Memorials, Retirement -- Sergeant Bill Moulton.

The Speaker announced that he had referred House Joint Resolution No. 1071 to the Committee on Calendar.

House Joint Resolution No. 1072 -- Memorials, Sports -- Keeley Carter, TSSAA Class AA Miss Basketball.

The Speaker announced that he had referred House Joint Resolution No. 1072 to the Committee on Calendar.

House Joint Resolution No. 1073 -- Memorials, Death -- Henry Polston.

The Speaker announced that he had referred House Joint Resolution No. 1073 to the Committee on Calendar.

House Joint Resolution No. 1074 -- Memorials, Death -- Bobby Shrum.

The Speaker announced that he had referred House Joint Resolution No. 1074 to the Committee on Calendar.

House Joint Resolution No. 1075 -- Memorials, Professional Achievement -- Brent Eller, Hamilton County Principal of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1075 to the Committee on Calendar.

House Joint Resolution No. 1076 -- Memorials, Heroism -- Morning Pointe of Chattanooga at Shallowford and The Lantern at Morning Pointe Alzheimer's Center of Excellence Chattanooga.

The Speaker announced that he had referred House Joint Resolution No. 1076 to the Committee on Calendar.

House Joint Resolution No. 1077 -- Memorials, Professional Achievement -- Dr. Kevin A. Gideon, Tennessee Assistant Principal of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1077 to the Committee on Calendar.

House Joint Resolution No. 1078 -- Memorials, Professional Achievement -- Timothy Jones, West Tennessee Principal of the Year .

The Speaker announced that he had referred House Joint Resolution No. 1078 to the Committee on Calendar.

House Joint Resolution No. 1079 -- Memorials, Interns -- Hannah Mentgen.

The Speaker announced that he had referred House Joint Resolution No. 1079 to the Committee on Calendar.

House Joint Resolution No. 1080 -- Memorials, Recognition -- Dr. Paul C. Peterson.

The Speaker announced that he had referred House Joint Resolution No. 1080 to the Committee on Calendar.

House Joint Resolution No. 1081 -- Memorials, Recognition -- Dr. Ralph A. Rossum.

The Speaker announced that he had referred House Joint Resolution No. 1081 to the Committee on Calendar.

House Joint Resolution No. 1082 -- Memorials, Sports -- Precious Achiuwa, American Athletic Conference Player of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1082 to the Committee on Calendar.

House Joint Resolution No. 1083 -- Memorials, Public Service -- Representative Martin Daniel.

The Speaker announced that he had referred House Joint Resolution No. 1083 to the Committee on Calendar.

House Joint Resolution No. 1084 -- Memorials, Public Service -- Representative Bill Sanderson.

The Speaker announced that he had referred House Joint Resolution No. 1084 to the Committee on Calendar.

House Joint Resolution No. 1085 -- Memorials, Public Service -- Representative Timothy Hill.

The Speaker announced that he had referred House Joint Resolution No. 1085 to the Committee on Calendar.

House Joint Resolution No. 1086 -- Memorials, Public Service -- Representative Jim Coley.

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The Speaker announced that he had referred House Joint Resolution No. 1086 to the Committee on Calendar.

House Joint Resolution No. 1087 -- Memorials, Public Service -- Representative Bill Dunn.

The Speaker announced that he had referred House Joint Resolution No. 1087 to the Committee on Calendar.

House Joint Resolution No. 1088 -- Memorials, Public Service -- Representative Andy Holt.

The Speaker announced that he had referred House Joint Resolution No. 1088 to the Committee on Calendar.

House Joint Resolution No. 1089 -- Memorials, Academic Achievement -- Brianna Hope Porter, Valedictorian, Trousedale County High School.

The Speaker announced that he had referred House Joint Resolution No. 1089 to the Committee on Calendar.

House Joint Resolution No. 1090 -- Memorials, Academic Achievement -- Cameron Keith Carr, Salutatorian, Trousedale County High School.

The Speaker announced that he had referred House Joint Resolution No. 1090 to the Committee on Calendar.

House Joint Resolution No. 1091 -- Memorials, Academic Achievement -- Lauren Alexandra Fisher, Valedictorian, Gallatin High School.

The Speaker announced that he had referred House Joint Resolution No. 1091 to the Committee on Calendar.

House Joint Resolution No. 1092 -- Memorials, Academic Achievement -- Kayli Jian Lucas, Valedictorian, Gallatin High School.

The Speaker announced that he had referred House Joint Resolution No. 1092 to the Committee on Calendar.

House Joint Resolution No. 1093 -- Memorials, Academic Achievement -- Camila Gomez, Salutatorian, Gallatin High School.

The Speaker announced that he had referred House Joint Resolution No. 1093 to the Committee on Calendar.

House Joint Resolution No. 1094 -- Memorials, Academic Achievement -- Gwendolyn Smith, Valedictorian, Rhea County Academy .

The Speaker announced that he had referred House Joint Resolution No. 1094 to the Committee on Calendar.

House Joint Resolution No. 1095 -- Memorials, Academic Achievement -- Jonathan Owens, Salutatorian, Rhea County Academy.

The Speaker announced that he had referred House Joint Resolution No. 1095 to the Committee on Calendar.

House Joint Resolution No. 1096 -- Memorials, Academic Achievement -- Steven Go, Valedictorian, Cordova High School.

The Speaker announced that he had referred House Joint Resolution No. 1096 to the Committee on Calendar.

House Joint Resolution No. 1097 -- Memorials, Academic Achievement -- Christopher Warner, Salutatorian, Cordova High School.

The Speaker announced that he had referred House Joint Resolution No. 1097 to the Committee on Calendar.

House Joint Resolution No. 1098 -- Memorials, Academic Achievement -- John Saunders Webster, Salutatorian, Evangelical Christian School.

The Speaker announced that he had referred House Joint Resolution No. 1098 to the Committee on Calendar.

House Joint Resolution No. 1099 -- Memorials, Academic Achievement -- Gracie Lin Plunk, Valedictorian, Evangelical Christian School.

The Speaker announced that he had referred House Joint Resolution No. 1099 to the Committee on Calendar.

House Joint Resolution No. 1100 -- Memorials, Academic Achievement -- Erin Alexandra Pearce, Salutatorian, First Assembly Christian School.

The Speaker announced that he had referred House Joint Resolution No. 1100 to the Committee on Calendar.

House Joint Resolution No. 1101 -- Memorials, Academic Achievement -- Macie Lynellen Hatcher, Valedictorian, First Assembly Christian School.

The Speaker announced that he had referred House Joint Resolution No. 1101 to the Committee on Calendar.

House Joint Resolution No. 1102 -- Memorials, Interns -- Aysia Johnson.

The Speaker announced that he had referred House Joint Resolution No. 1102 to the Committee on Calendar.

House Joint Resolution No. 1103 -- Memorials, Academic Achievement -- Kelley Baugus, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1103 to the Committee on Calendar.

House Joint Resolution No. 1104 -- Memorials, Academic Achievement -- Lacey Benefield, Salutatorian, Summertown High School.

The Speaker announced that he had referred House Joint Resolution No. 1104 to the Committee on Calendar.

House Joint Resolution No. 1105 -- Memorials, Academic Achievement -- Emily Kautsky, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1105 to the Committee on Calendar.

House Joint Resolution No. 1106 -- Memorials, Academic Achievement -- Laney Brewer, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1106 to the Committee on Calendar.

House Joint Resolution No. 1107 -- Memorials, Academic Achievement -- Gabrielle Arrington, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1107 to the Committee on Calendar.

House Joint Resolution No. 1108 -- Memorials, Academic Achievement -- Braylee Daniel, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1108 to the Committee on Calendar.

House Joint Resolution No. 1109 -- Memorials, Academic Achievement -- Brylee Harris, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1109 to the Committee on Calendar.

House Joint Resolution No. 1110 -- Memorials, Academic Achievement -- Kayla Potete, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1110 to the Committee on Calendar.

House Joint Resolution No. 1111 -- Memorials, Academic Achievement -- Andrew Whitehead, Top Ten Senior, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1111 to the Committee on Calendar.

House Joint Resolution No. 1112 -- Memorials, Academic Achievement -- Emily Petty, Top Ten Senior, Collinwood High School.

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The Speaker announced that he had referred House Joint Resolution No. 1112 to the Committee on Calendar.

House Joint Resolution No. 1113 -- Memorials, Academic Achievement -- Kristen Retherford, Salutatorian, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1113 to the Committee on Calendar.

House Joint Resolution No. 1114 -- Memorials, Academic Achievement -- Cooper Vandiver, Valedictorian, Collinwood High School.

The Speaker announced that he had referred House Joint Resolution No. 1114 to the Committee on Calendar.

House Joint Resolution No. 1115 -- Memorials, Academic Achievement -- Faith Melvin, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1115 to the Committee on Calendar.

House Joint Resolution No. 1116 -- Memorials, Academic Achievement -- Katie Hargrove, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1116 to the Committee on Calendar.

House Joint Resolution No. 1117 -- Memorials, Academic Achievement -- Kasee Johnson, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1117 to the Committee on Calendar.

House Joint Resolution No. 1118 -- Memorials, Academic Achievement -- Joseph Swinea, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1118 to the Committee on Calendar.

House Joint Resolution No. 1119 -- Memorials, Academic Achievement -- Tiffany Winger, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1119 to the Committee on Calendar.

House Joint Resolution No. 1120 -- Memorials, Academic Achievement -- Kassidy Gresham, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1120 to the Committee on Calendar.

House Joint Resolution No. 1121 -- Memorials, Academic Achievement -- Chloe Skelton, Top Ten Senior, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1121 to the Committee on Calendar.

House Joint Resolution No. 1122 -- Memorials, Academic Achievement -- Callie Prince, Salutatorian, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1122 to the Committee on Calendar.

House Joint Resolution No. 1123 -- Memorials, Academic Achievement -- Harley Copley, Valedictorian, Wayne County High School.

The Speaker announced that he had referred House Joint Resolution No. 1123 to the Committee on Calendar.

House Joint Resolution No. 1124 -- Memorials, Academic Achievement -- Jillian Cross, Top Ten Senior, Summertown High School.

The Speaker announced that he had referred House Joint Resolution No. 1124 to the Committee on Calendar.

House Joint Resolution No. 1125 -- Memorials, Academic Achievement -- Anna Collier, Top Ten Senior, Summertown High School.

The Speaker announced that he had referred House Joint Resolution No. 1125 to the Committee on Calendar.

House Joint Resolution No. 1126 -- Memorials, Academic Achievement -- Haley Caperton, Top Ten Senior, Summertown High School.

The Speaker announced that he had referred House Joint Resolution No. 1126 to the Committee on Calendar.

House Joint Resolution No. 1127 -- Memorials, Academic Achievement -- MaKaylie Rawdon, Top Ten Senior, Summertown High School.

The Speaker announced that he had referred House Joint Resolution No. 1127 to the Committee on Calendar.

House Joint Resolution No. 1128 -- Memorials, Academic Achievement -- Matthew Clark, Top Ten Senior, Summertown High School.

The Speaker announced that he had referred House Joint Resolution No. 1128 to the Committee on Calendar.

House Joint Resolution No. 1129 -- Memorials, Academic Achievement -- Alexis Perry, Top Ten Senior, Summertown High School.

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The Speaker announced that he had referred House Joint Resolution No. 1129 to the Committee on Calendar.

House Joint Resolution No. 1130 -- Memorials, Academic Achievement -- Kaitlyn Potts, Top Ten Senior, Summertown High School.

The Speaker announced that he had referred House Joint Resolution No. 1130 to the Committee on Calendar.

House Joint Resolution No. 1131 -- Memorials, Academic Achievement -- Gracee Smith, Top Ten Senior, Summertown High School.

The Speaker announced that he had referred House Joint Resolution No. 1131 to the Committee on Calendar.

House Joint Resolution No. 1132 -- Memorials, Academic Achievement -- McKenzie McKennon, Valedictorian, Summertown High School.

The Speaker announced that he had referred House Joint Resolution No. 1132 to the Committee on Calendar.

House Joint Resolution No. 1133 -- Memorials, Academic Achievement -- Wyatt Alley, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1133 to the Committee on Calendar.

House Joint Resolution No. 1134 -- Memorials, Academic Achievement -- Joey Gump, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1134 to the Committee on Calendar.

House Joint Resolution No. 1135 -- Memorials, Academic Achievement -- Ivy Middleton, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1135 to the Committee on Calendar.

House Joint Resolution No. 1136 -- Memorials, Academic Achievement -- A.J. Potts, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1136 to the Committee on Calendar.

House Joint Resolution No. 1137 -- Memorials, Academic Achievement -- Dylan Henderson, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1137 to the Committee on Calendar.

House Joint Resolution No. 1138 -- Memorials, Academic Achievement -- Matty Cate Morris, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1138 to the Committee on Calendar.

House Joint Resolution No. 1139 -- Memorials, Academic Achievement -- Hallie Brown, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1139 to the Committee on Calendar.

House Joint Resolution No. 1140 -- Memorials, Academic Achievement -- Lauren Milam, Top Ten Senior, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1140 to the Committee on Calendar.

House Joint Resolution No. 1141 -- Memorials, Academic Achievement -- Cody Warren, Salutatorian, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1141 to the Committee on Calendar.

House Joint Resolution No. 1142 -- Memorials, Academic Achievement -- Brantley Forrest, Valedictorian, Frank Hughes High School.

The Speaker announced that he had referred House Joint Resolution No. 1142 to the Committee on Calendar.

House Joint Resolution No. 1143 -- Memorials, Interns -- Hollie Evans.

The Speaker announced that he had referred House Joint Resolution No. 1143 to the Committee on Calendar.

House Joint Resolution No. 1144 -- Memorials, Recognition -- WCLE Radio Empty Stocking Fund, The Luther Award.

The Speaker announced that he had referred House Joint Resolution No. 1144 to the Committee on Calendar.

House Joint Resolution No. 1145 -- Memorials, Academic Achievement -- Caleb Thompson Fisher, Salutatorian, Ooltewah High School.

The Speaker announced that he had referred House Joint Resolution No. 1145 to the Committee on Calendar.

House Joint Resolution No. 1146 -- Memorials, Academic Achievement -- Dennis Ramiro Bazan, Valedictorian, Ooltewah High School.

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The Speaker announced that he had referred House Joint Resolution No. 1146 to the Committee on Calendar.

House Joint Resolution No. 1147 -- Memorials, Academic Achievement -- Zoe Makenna Evans, Salutatorian, Sale Creek High School.

The Speaker announced that he had referred House Joint Resolution No. 1147 to the Committee on Calendar.

House Joint Resolution No. 1148 -- Memorials, Academic Achievement -- Madison Mae Bean, Valedictorian, Sale Creek High School.

The Speaker announced that he had referred House Joint Resolution No. 1148 to the Committee on Calendar.

House Joint Resolution No. 1149 -- Memorials, Academic Achievement -- Shianne Brooke Crowe, Valedictorian, Sale Creek High School.

The Speaker announced that he had referred House Joint Resolution No. 1149 to the Committee on Calendar.

House Joint Resolution No. 1150 -- Memorials, Professional Achievement -- Becca Russell, Sequoyah Elementary School Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1150 to the Committee on Calendar.

House Joint Resolution No. 1151 -- Memorials, Death -- Dr. Linda Gilbert.

The Speaker announced that he had referred House Joint Resolution No. 1151 to the Committee on Calendar.

House Joint Resolution No. 1152 -- Memorials, Death -- Commissioner Steve Ervin.

The Speaker announced that he had referred House Joint Resolution No. 1152 to the Committee on Calendar.

House Joint Resolution No. 1153 -- Memorials, Recognition -- David Drobny, Will Minkoff, and Andrew Leeper of Nashville Severe Weather.

The Speaker announced that he had referred House Joint Resolution No. 1153 to the Committee on Calendar.

House Joint Resolution No. 1154 -- Memorials, Recognition -- Steven Tyler.

The Speaker announced that he had referred House Joint Resolution No. 1154 to the Committee on Calendar.

House Joint Resolution No. 1155 -- Memorials, Interns -- Emma Stinson.

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The Speaker announced that he had referred House Joint Resolution No. 1155 to the Committee on Calendar.

House Joint Resolution No. 1156 -- Memorials, Recognition -- William G. Elliott, Tennessee Aviation Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1156 to the Committee on Calendar.

House Joint Resolution No. 1157 -- Memorials, Recognition -- Donald Lee McDonald, Tennessee Aviation Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1157 to the Committee on Calendar.

House Joint Resolution No. 1158 -- Memorials, Retirement -- Steve Underwood.

The Speaker announced that he had referred House Joint Resolution No. 1158 to the Committee on Calendar.

House Joint Resolution No. 1160 -- Memorials, Recognition -- Juli Mosley, Liberty Bell Award Recipient.

The Speaker announced that he had referred House Joint Resolution No. 1160 to the Committee on Calendar.

House Joint Resolution No. 1161 -- Memorials, Recognition -- Jeanie Nelson, Liberty Bell Award Recipient.

The Speaker announced that he had referred House Joint Resolution No. 1161 to the Committee on Calendar.

House Joint Resolution No. 1162 -- Memorials, Recognition -- Margaret Behm, Liberty Bell Award Recipient.

The Speaker announced that he had referred House Joint Resolution No. 1162 to the Committee on Calendar.

House Joint Resolution No. 1163 -- Memorials, Academic Achievement -- Lucienne Cornelia Reinhard, Valedictorian, Dayspring Academy.

The Speaker announced that he had referred House Joint Resolution No. 1163 to the Committee on Calendar.

House Joint Resolution No. 1164 -- Memorials, Academic Achievement -- Malone Marie Thrift, Valedictorian, Dayspring Academy.

The Speaker announced that he had referred House Joint Resolution No. 1164 to the Committee on Calendar.

House Joint Resolution No. 1165 -- Memorials, Academic Achievement -- Benjamin Taylor Zachary, Salutatorian, Dayspring Academy.

The Speaker announced that he had referred House Joint Resolution No. 1165 to the Committee on Calendar.

House Joint Resolution No. 1166 -- Memorials, Academic Achievement -- Taylor Stuard, Valedictorian, Jo Byrns High School.

The Speaker announced that he had referred House Joint Resolution No. 1166 to the Committee on Calendar.

House Joint Resolution No. 1167 -- Memorials, Academic Achievement -- Shelby Plank, Salutatorian, Jo Byrns High School.

The Speaker announced that he had referred House Joint Resolution No. 1167 to the Committee on Calendar.

House Joint Resolution No. 1168 -- Memorials, Academic Achievement -- Shelby Koonce, Valedictorian, Christian Community High School.

The Speaker announced that he had referred House Joint Resolution No. 1168 to the Committee on Calendar.

House Joint Resolution No. 1169 -- Memorials, Academic Achievement -- Wyatt Oakley, Salutatorian, Christian Community High School.

The Speaker announced that he had referred House Joint Resolution No. 1169 to the Committee on Calendar.

House Joint Resolution No. 1170 -- Memorials, Academic Achievement -- Cassidy Marshall, Valedictorian, Greenbrier High School.

The Speaker announced that he had referred House Joint Resolution No. 1170 to the Committee on Calendar.

House Joint Resolution No. 1171 -- Memorials, Academic Achievement -- Isabella Hicks, Salutatorian, Greenbrier High School.

The Speaker announced that he had referred House Joint Resolution No. 1171 to the Committee on Calendar.

House Joint Resolution No. 1172 -- Memorials, Academic Achievement -- Mikayla Hernandez, Valedictorian, East Robertson High School.

The Speaker announced that he had referred House Joint Resolution No. 1172 to the Committee on Calendar.

House Joint Resolution No. 1173 -- Memorials, Academic Achievement -- Christopher Premer, Salutatorian, East Robertson High School.

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The Speaker announced that he had referred House Joint Resolution No. 1173 to the Committee on Calendar.

House Joint Resolution No. 1174 -- Memorials, Academic Achievement -- Savannah Smith, Valedictorian, Springfield High School.

The Speaker announced that he had referred House Joint Resolution No. 1174 to the Committee on Calendar.

House Joint Resolution No. 1175 -- Memorials, Academic Achievement -- Samuel King, Salutatorian, Springfield High School.

The Speaker announced that he had referred House Joint Resolution No. 1175 to the Committee on Calendar.

House Joint Resolution No. 1176 -- Memorials, Academic Achievement -- Colin Spivey, Valedictorian, White House Heritage High School.

The Speaker announced that he had referred House Joint Resolution No. 1176 to the Committee on Calendar.

House Joint Resolution No. 1177 -- Memorials, Academic Achievement -- Ciara Simmons, Valedictorian, White House Heritage High School.

The Speaker announced that he had referred House Joint Resolution No. 1177 to the Committee on Calendar.

House Joint Resolution No. 1178 -- Memorials, Academic Achievement -- Isabella Richardson, Valedictorian, White House Heritage High School.

The Speaker announced that he had referred House Joint Resolution No. 1178 to the Committee on Calendar.

House Joint Resolution No. 1179 -- Memorials, Academic Achievement -- David Cantrell, Valedictorian, White House Heritage High School.

The Speaker announced that he had referred House Joint Resolution No. 1179 to the Committee on Calendar.

House Joint Resolution No. 1180 -- Memorials, Academic Achievement -- Jessica Taylor, Salutatorian, White House Heritage High School.

The Speaker announced that he had referred House Joint Resolution No. 1180 to the Committee on Calendar.

House Joint Resolution No. 1181 -- Memorials, Academic Achievement -- Andy Hernandez, Valedictorian, South Haven Christian School.

The Speaker announced that he had referred House Joint Resolution No. 1181 to the Committee on Calendar.

House Joint Resolution No. 1182 -- Memorials, Academic Achievement -- Johnvinder Bachhal, Salutatorian, South Haven Christian School.

The Speaker announced that he had referred House Joint Resolution No. 1182 to the Committee on Calendar.

House Joint Resolution No. 1183 -- Memorials, Personal Occasion -- Harold and Debra Wheeler, 50th wedding anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1183 to the Committee on Calendar.

House Joint Resolution No. 1184 -- Memorials, Recognition -- Brett Batterson.

The Speaker announced that he had referred House Joint Resolution No. 1184 to the Committee on Calendar.

House Joint Resolution No. 1185 -- Memorials, Recognition -- Josh Thomas.

The Speaker announced that he had referred House Joint Resolution No. 1185 to the Committee on Calendar.

House Joint Resolution No. 1186 -- Memorials, Recognition -- Robert D. Meyers.

The Speaker announced that he had referred House Joint Resolution No. 1186 to the Committee on Calendar.

House Joint Resolution No. 1187 -- Memorials, Recognition -- Highland Church of Christ, 90th anniversary .

The Speaker announced that he had referred House Joint Resolution No. 1187 to the Committee on Calendar.

House Joint Resolution No. 1188 -- Memorials, Recognition -- Dee Nollner.

The Speaker announced that he had referred House Joint Resolution No. 1188 to the Committee on Calendar.

House Joint Resolution No. 1189 -- Memorials, Recognition -- Nick Kistenmacher.

The Speaker announced that he had referred House Joint Resolution No. 1189 to the Committee on Calendar.

House Joint Resolution No. 1190 -- Memorials, Recognition -- Charlie Vergos Rendezvous.

The Speaker announced that he had referred House Joint Resolution No. 1190 to the Committee on Calendar.

House Joint Resolution No. 1191 -- Memorials, Recognition -- Dr. David Cox.

The Speaker announced that he had referred House Joint Resolution No. 1191 to the Committee on Calendar.

House Joint Resolution No. 1192 -- Memorials, Recognition -- Dr. Charles Crawford.

The Speaker announced that he had referred House Joint Resolution No. 1192 to the Committee on Calendar.

Senate Joint Resolution No. 1300 -- Memorials, Recognition -- Hospice of Chattanooga, 40th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 1300 to the Committee on Calendar.

Senate Joint Resolution No. 1301 -- Memorials, Heroism -- Dr. Dawn Richards and Dr. Elizabeth Forrester.

The Speaker announced that he had referred Senate Joint Resolution No. 1301 to the Committee on Calendar.

Senate Joint Resolution No. 1302 -- Memorials, Interns -- Hannah Stewart.

The Speaker announced that he had referred Senate Joint Resolution No. 1302 to the Committee on Calendar.

Senate Joint Resolution No. 1303 -- Memorials, Heroism -- Kenneth Wayne Matheney, Soldier's Medal recipient.

The Speaker announced that he had referred Senate Joint Resolution No. 1303 to the Committee on Calendar.

Senate Joint Resolution No. 1304 -- Memorials, Professional Achievement -- Jimmy Burleson, Kingsport City Schools Grades 9-12 Teacher of the Year .

The Speaker announced that he had referred Senate Joint Resolution No. 1304 to the Committee on Calendar.

Senate Joint Resolution No. 1305 -- Memorials, Professional Achievement -- Bethany Paupeck, Kingsport City Schools Grades 5-8 Teacher of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 1305 to the Committee on Calendar.

Senate Joint Resolution No. 1306 -- Memorials, Professional Achievement -- Christa Nidiffer, Kingsport City Schools Grades Pre-K-4 Teacher of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 1306 to the Committee on Calendar.

Senate Joint Resolution No. 1307 -- Memorials, Professional Achievement -- Tommy Starnes, Kingsport City Schools Supervisor of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 1307 to the Committee on Calendar.

Senate Joint Resolution No. 1308 -- Memorials, Professional Achievement -- Heather Wolf, Kingsport City Schools Principal of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 1308 to the Committee on Calendar.

Senate Joint Resolution No. 1309 -- Memorials, Personal Occasion -- Matthew Kevin "Chip" Russell.

The Speaker announced that he had referred Senate Joint Resolution No. 1309 to the Committee on Calendar.

Senate Joint Resolution No. 1310 -- Memorials, Academic Achievement -- Alesia Me-Liana Meade, Valedictorian, McEwen High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1310 to the Committee on Health and Welfare.

Senate Joint Resolution No. 1311 -- Memorials, Retirement -- Chief Master Sergeant Scott Roberts, Tennessee Army National Guard.

The Speaker announced that he had referred Senate Joint Resolution No. 1311 to the Committee on Calendar.

Senate Joint Resolution No. 1312 -- Memorials, Academic Achievement -- Kelcee Rhoton, Salutatorian, Clay County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1312 to the Committee on Calendar.

Senate Joint Resolution No. 1313 -- Memorials, Academic Achievement -- Taylor Smith, Valedictorian, Clay County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1313 to the Committee on Calendar.

Senate Joint Resolution No. 1314 -- Memorials, Death -- John Prine.

The Speaker announced that he had referred Senate Joint Resolution No. 1314 to the Committee on Calendar.

Senate Joint Resolution No. 1315 -- Memorials, Death -- Ashanti Nikole Posey.

The Speaker announced that he had referred Senate Joint Resolution No. 1315 to the Committee on Calendar.

Senate Joint Resolution No. 1316 -- Memorials, Retirement -- Donald Webb.

The Speaker announced that he had referred Senate Joint Resolution No. 1316 to the Committee on Calendar.

Senate Joint Resolution No. 1317 -- Memorials, Interns -- Jessica A. Collie.

The Speaker announced that he had referred Senate Joint Resolution No. 1317 to the Committee on Calendar.

Senate Resolution No. 160 -- Memorials, Recognition -- Sonya Renea Grant.

The Speaker announced that he had referred Senate Resolution No. 160 to the Committee on Calendar.

Senate Resolution No. 161 -- Memorials, Retirement -- Lloyd Hansen.

The Speaker announced that he had referred Senate Resolution No. 161 to the Committee on Calendar.

Senate Resolution No. 162 -- Memorials, Interns -- Tabitha Mimms.

The Speaker announced that he had referred Senate Resolution No. 162 to the Committee on Calendar.

NOTICES

MESSAGE FROM THE HOUSE

June 3, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1009; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 3, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2268; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 3, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2332; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 2, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2620; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 4, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1754; substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MOTION

Senator Johnson moved that Rules 37 and 38 be suspended for the purpose of allowing the Calendars for Thursday, June 4, 2020 to be considered timely, which motion prevailed.

CONSENT CALENDAR

Senate Joint Resolution No. 1280 -- Memorials, Public Service -- Senator Dolores Gresham.

Senate Joint Resolution No. 1281 -- Memorials, Death -- Grady Wayne Clark.

Senate Joint Resolution No. 1282 -- Memorials, Retirement -- Parker Hardy.

Senate Joint Resolution No. 1283 -- Memorials, Public Service -- Stuart McWhorter.

Senate Joint Resolution No. 1284 -- Memorials, Academic Achievement -- Shelby Plank, Salutatorian, Jo Byrns High School.

Senate Joint Resolution No. 1285 -- Memorials, Academic Achievement -- Taylor Stuard, Valedictorian, Jo Byrns High School.

Senate Joint Resolution No. 1286 -- Memorials, Academic Achievement -- Mikayla Faye Hernandez, Valedictorian, East Robertson High School.

Senate Joint Resolution No. 1287 -- Memorials, Academic Achievement -- Christopher Brett Premer, Salutatorian, East Robertson High School.

Senate Joint Resolution No. 1288 -- Memorials, Academic Achievement -- Cassidy Faith Marshall, Valedictorian, Greenbrier High School.

Senate Joint Resolution No. 1289 -- Memorials, Academic Achievement -- Isabella Claire Hicks, Salutatorian, Greenbrier High School.

Senate Joint Resolution No. 1290 -- Memorials, Academic Achievement -- Savannah Cherise Smith, Valedictorian, Springfield High School.

Senate Joint Resolution No. 1291 -- Memorials, Academic Achievement -- Samuel Isaac King, Salutatorian, Springfield High School.

Senate Joint Resolution No. 1292 -- Memorials, Academic Achievement -- David Carmack Cantrell, Valedictorian, White House Heritage High School.

Senate Joint Resolution No. 1293 -- Memorials, Academic Achievement -- Isabella Grace Richardson, Valedictorian, White House Heritage High School.

Senate Joint Resolution No. 1294 -- Memorials, Academic Achievement -- Ciara Jaelyn Simmons, Valedictorian, White House Heritage High School.

Senate Joint Resolution No. 1295 -- Memorials, Academic Achievement -- Colin Tyler Spivey, Valedictorian, White House Heritage High School.

Senate Joint Resolution No. 1296 -- Memorials, Academic Achievement -- Jessica Amber Taylor, Salutatorian, White House Heritage High School.

Senate Joint Resolution No. 1297 -- Memorials, Retirement -- Deb Cassetty.

Senate Joint Resolution No. 1298 -- Memorials, Death -- Judge Thomas A. Wiseman, Jr.

Senate Resolution No. 149 -- Memorials, Death -- Sam Hensley.

Senate Resolution No. 150 -- Memorials, Interns -- Senia Hernandez-Mapson.

Senate Resolution No. 153 -- Memorials, Death -- Dean Arthur Ford.

Senate Resolution No. 154 -- Memorials, Death -- John Reece Smith.

Senate Resolution No. 156 -- Memorials, Death -- Dr. Beverly Jean Williams-Cleaves.

Senate Resolution No. 157 -- Memorials, Death -- George W. Roark.

Senate Resolution No. 158 -- Memorials, Sports -- Carolyn Bush Roddy, Women's Basketball Hall of Fame.

Senate Resolution No. 159 -- Memorials, Death -- Hubert G. Baldwin.

House Joint Resolution No. 1040 -- Memorials, Academic Achievement -- Cristine Victoria Moore, Salutatorian, Rhea County High School.

House Joint Resolution No. 1041 -- Memorials, Academic Achievement -- Elijah Daniel Boles, Valedictorian, Rhea County High School.

House Joint Resolution No. 1042 -- Memorials, Sports -- Sophie Linder, state golf champion.

House Joint Resolution No. 1043 -- Memorials, Recognition -- Robertson County Recovery Court graduates.

House Joint Resolution No. 1045 -- Memorials, Death -- Gale Huneycutt.

Senator Jackson moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Bill No. 1594 -- Consumer Protection -- As introduced, redefines "travel promoter" and "travel services" for the purposes of the Tennessee Consumer Protection Act of 1977. Amends TCA Title 47, Chapter 18 and Title 62.

On motion, Senate Bill No. 1594 was made to conform with **House Bill No. 1685**.

On motion, House Bill No. 1685, on same subject, was substituted for Senate Bill No. 1594.

Senate Bill No. 1630 -- County Government -- As introduced, authorizes a county mayor to appoint a committee to approve amendments to the budget after the budget has been adopted under the Local Option Budgeting Law of 1993. Amends TCA Title 5, Chapter 12, Part 2.

On motion, Senate Bill No. 1630 was made to conform with **House Bill No. 1571**.

On motion, House Bill No. 1571, on same subject, was substituted for Senate Bill No. 1630.

Senate Bill No. 1956 -- Industrial Development -- As introduced, creates an exception to the prohibition on an industrial development corporation purchasing a hotel, motel, or apartment building, if the project is a tourism attraction involving an aggregate investment of public and private funds in excess of \$75 million. Amends TCA Title 7, Chapter 53.

Senate Bill No. 2771 -- Game and Fish Laws -- As introduced, deletes one of two similar options for the purchase of a lifetime sportsman license for senior citizens, the fee for which cannot

be automatically adjusted to reflect the same percentage increase as the annual sportsman license.
Amends TCA Title 70, Chapter 2.

Senator Jackson moved that all Senate and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 3

Senate Joint Resolution No. 1319 -- Memorials, Academic Achievement -- Joseph Collie, Tenth Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1320 -- Memorials, Academic Achievement -- Caleb Carroll, Ninth Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1321 -- Memorials, Academic Achievement -- Lathan Powers, Eighth Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1322 -- Memorials, Academic Achievement -- Cole Humphreys, Seventh Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1323 -- Memorials, Academic Achievement -- Addison Johns, Sixth Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1324 -- Memorials, Academic Achievement -- Allison Jackson, Fifth Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1325 -- Memorials, Academic Achievement -- Avery Potts, Fourth Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1326 -- Memorials, Academic Achievement -- Calli Dye, Third Top Graduate, Lewis County High School.

Senate Joint Resolution No. 1327 -- Memorials, Academic Achievement -- Rachel King, Salutatorian, Lewis County High School.

Senate Joint Resolution No. 1328 -- Memorials, Academic Achievement -- Abagayle Brock, Valedictorian, Lewis County High School.

Senator Jackson moved that all Senate Joint Resolutions be adopted, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

CALENDAR

Senator Haile moved that **Senate Bill No. 247** be placed on the last Calendar, which motion prevailed.

Senate Bill No. 1576 -- Tennessee Housing Development Agency -- As introduced, increases, from \$2.93 billion to \$5 billion, the maximum aggregate principal amount for which the agency may issue bonds and notes at any one time. Amends TCA Section 13-23-121.

On motion, Senate Bill No. 1576 was made to conform with **House Bill No. 1622**.

On motion, House Bill No. 1622, on same subject, was substituted for Senate Bill No. 1576.

Senator Dickerson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 13-23-121(a), is amended by deleting the language "two billion nine hundred thirty million dollars (\$2,930,000,000)," and substituting instead the language "four billion dollars (\$4,000,000,000),".

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

House Bill No. 1622, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 1727 -- Public Funds and Financing -- As introduced, specifies the assumptions that a political subdivision's actuary's report must include when analyzing financing obligations under the political subdivision's pension plan; adds other related revisions. Amends TCA Title 9, Chapter 3, Part 5.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following new section immediately before the effective date section and redesignating the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 9-3-506(a), is amended by deleting subdivisions (2) and (3) and substituting instead the following:

(2) For any pension plan that is funded below sixty percent (60%), the political subdivision shall not establish a benefit enhancement until it has received written approval by the state treasurer. For the purposes of this subdivision (a)(2), "benefit enhancement" means any change in member benefits, benefit structure, or benefit formula provided by a political subdivision relative to its pension plan that, according to the political subdivision's actuary, will or is estimated to permanently, temporarily, or intermittently increase either the employer or employee contributions or the liabilities of the pension plan; and

(3) For political subdivisions with an existing pension plan as of May 22, 2014, the political subdivision shall not establish a new pension plan that changes the funding policy, increases the employer cost, or adds to the unfunded accrued liability of an existing pension plan until it has received written approval from the state treasurer. For the purposes of this subdivision (a)(3), a political subdivision establishes a new pension plan by taking any or a combination of the following actions:

(A) Establishing a tier that has not been previously provided as part of a pension plan;

(B) Reopening a previously closed pension plan or previously closed tier of a pension plan; or

(C) Establishing a plan that is different from the political subdivision's existing pension plan.

On motion, Amendment No. 1 was adopted.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **Senate Bill No. 1727**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 1778 -- Real Property -- As introduced, clarifies that a "bed and breakfast homestay" may be operated in a private condominium, as well as a private home, for purposes of the Bed and Breakfast Establishment Inspection Act of 1990, which requires inspection of a bed and breakfast homestay. Amends TCA Title 5; Title 6; Title 7; Title 13; Title 56; Title 62; Title 66; Title 67 and Title 68.

On motion of Senator Bailey, Amendment No. 1 was withdrawn.

Senator Stevens moved that Amendment No. 2 be placed behind Amendment No. 3, which motion prevailed.

Senator Dickerson moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-4-101(4), is amended by deleting the language "motel" and substituting instead the language "motel, short-term rental unit".

SECTION 2. Tennessee Code Annotated, Section 7-4-101, is amended by adding the following appropriately designated subdivisions:

() "Short-term rental unit marketplace" means any person or entity that provides a platform for compensation, through which a third party offers to rent a short-term rental unit to an occupant;

() "Residential dwelling" means a cabin, house, or structure used or designed to be used as an abode or home of a person, family, or household, and includes a single-family dwelling, a portion of a single-family dwelling, or an individual residential dwelling in a multi-dwelling building, such as an apartment building, condominium, cooperative, or timeshare;

() "Short-term rental unit" means a residential dwelling that is rented wholly or partially for a fee for a period of less than thirty (30) continuous days and does not include a hotel as defined in § 68-14-302 or a bed and breakfast establishment or a bed and breakfast homestay as those terms are defined in § 68-14-502;

SECTION 3. Tennessee Code Annotated, Section 7-4-103, is amended by designating the existing language as subsection (a) and adding the following language as subsection (b):

(b) Notwithstanding this part to the contrary, on or after January 1, 2021, the tax, when levied upon the occupancy of a short-term rental unit secured through a short-term

rental unit marketplace, must be collected and remitted in accordance with title 67, chapter 4, part 33.

SECTION 4. Tennessee Code Annotated, Section 7-4-202, is amended by adding the following new subsection:

(e) Notwithstanding this part to the contrary, on or after January 1, 2021, the tax levied pursuant to this section, when levied upon the occupancy of a short-term rental unit secured through a short-term rental unit marketplace, must be collected and remitted in accordance with title 67, chapter 4, part 33.

SECTION 5. Tennessee Code Annotated, Section 13-7-602, is amended by adding the following as a new subdivision:

() "Transferred" means:

(A) An interest in real estate was conveyed on or after May 17, 2018; and

(B) The conveyance is exempt from the recordation tax pursuant to § 67-4-409(a)(3)(A)(i) and (a)(3)(E)-(F).

SECTION 6. Tennessee Code Annotated, Section 67-4-1401(2), is amended by deleting the language "motel" and substituting instead the language "motel, short-term rental unit".

SECTION 7. Tennessee Code Annotated, Section 67-4-1401, is amended by adding the following new appropriately designated subdivisions:

() "Short-term rental unit marketplace" means any person or entity that provides a platform for compensation, through which a third party offers to rent a short-term rental unit to an occupant;

() "Residential dwelling" means a cabin, house, or structure used or designed to be used as an abode or home of a person, family, or household, and includes a single-family dwelling, a portion of a single-family dwelling, or an individual residential dwelling in a multi-dwelling building, such as an apartment building, condominium, cooperative, or timeshare;

() "Short-term rental unit" means a residential dwelling that is rented wholly or partially for a fee for a period of less than thirty (30) continuous days and does not include a hotel as defined in § 68-14-302 or a bed and breakfast establishment or a bed and breakfast homestay as those terms are defined in § 68-14-502;

SECTION 8. Tennessee Code Annotated, Section 67-4-1405, is amended by adding the following as a new subsection:

(c) Notwithstanding this part to the contrary, on or after January 1, 2021, the tax levied pursuant to this part, when levied upon the occupancy of a short-term rental unit secured through a short-term rental unit marketplace, must be collected and remitted in accordance with chapter 4, part 33 of this title.

SECTION 9. Tennessee Code Annotated, Title 67, Chapter 4, Part 14, is amended by adding the following as a new section:

67-4-1426.

Notwithstanding any law to the contrary, on or after January 1, 2021, tax levied upon the privilege of occupancy of a short-term rental unit secured through a short-term rental unit marketplace, pursuant to any private act, must be collected and remitted in accordance with title 67, chapter 4, part 33.

SECTION 10. Tennessee Code Annotated, Title 67, Chapter 4, is amended by adding the following new part:

67-4-3301. As used in this part:

(1) "Consideration" means the consideration charged, whether or not received, for the occupancy in a short-term rental unit valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, property, and services of any kind or nature without any deduction therefrom whatsoever. Nothing in this definition implies that consideration is charged when the space provided to the person is complimentary from the operator and no consideration is charged to or received from any person;

(2) "Department" means the department of revenue;

(3) "Occupancy" means the use or possession, or the right to the use or possession, of any room, lodgings, or accommodations in a short-term rental unit;

(4) "Residential dwelling" means a cabin, house, or structure used or designed to be used as an abode or home of a person, family, or household, and includes a single-family dwelling, a portion of a single-family dwelling, or an individual residential dwelling in a multi-dwelling building, such as an apartment building, condominium, cooperative, or timeshare;

(5) "Short-term rental unit" means a residential dwelling that is rented wholly or partially for a fee for a period of less than thirty (30) continuous days and does not include a hotel as defined in § 68-14-302 or a bed and breakfast establishment or a bed and breakfast homestay as those terms are defined in § 68-14-502;

(6) "Short-term rental unit marketplace" means any person or entity operating in this state that provides a platform for compensation, through which a third party offers to rent a short-term rental unit to an occupant;

(7) "Short-term rental unit provider" means any person or entity engaged in renting any short-term rental unit offered through a short-term rental unit marketplace;

(8) "Short-term rental unit transaction" means any transaction in which there is a charge to an occupant by a short-term rental unit provider for the occupancy of a short-term rental unit; and

(9) "Transient" means any person who exercises occupancy or is entitled to occupancy of any short-term rental unit for a period of less than thirty (30) continuous days.

67-4-3302.

(a) A short-term rental unit marketplace shall register with the department for the collection and remittance of all the following taxes with respect to the consideration charged for the occupancy of a short-term rental unit:

- (1) The privilege tax imposed pursuant to title 7, chapter 4, part 1;
 - (2) The privilege tax imposed pursuant to title 7, chapter 4, part 2;
 - (3) The privilege tax imposed pursuant to title 67, chapter 4, part 14;
- and
- (4) Any privilege tax on the occupancy of a room provided by any hotel, motel, or similar establishment to a transient for a consideration, where the tax is imposed pursuant to a private act.

(b) Any tax collected pursuant to subsection (a) must be collected by the short-term rental unit marketplace and remitted to the department, in the same manner as provided by chapter 6 of this title with respect to sales and use tax. The tax collected pursuant to subsection (a) must be collected at the rate adopted by the city, county, or metropolitan government.

67-4-3303. For purposes of this part:

(1) A short-term rental unit marketplace shall, with respect to each short-term rental unit transaction facilitated by the short-term rental unit marketplace, collect and remit the taxes set out in § 67-4-3302(a), even if the transaction is occasional or isolated as contemplated in § 67-6-102(8)(B);

(2) A short-term rental unit marketplace shall report its taxes collected pursuant to § 67-4-3302(a) on a monthly basis and remit the aggregate total amounts for each respective jurisdiction for each month;

(3) Taxes payable by a short-term rental unit marketplace in accordance with § 67-4-3302(a) are subject to audit only by the department at the commissioner's sole discretion. Audits of a short-term rental unit marketplace must be conducted solely on the basis of the tax identification number associated with each short-term rental unit marketplace and shall not be conducted directly or indirectly on any individual short-term rental unit provider or any transient to whom short-term rental units are furnished. An audit described in this subdivision (3) must be conducted on the basis of returns filed by the short-term rental unit marketplace with the department, and if requested by the short-term rental unit marketplace, must include all tax types for

which the short-term rental unit marketplace is required to collect and remit pursuant to § 67-4-3302(a); and

(4) If a short-term rental unit marketplace is required to disclose any personally identifiable information relating to any short-term rental unit provider or transient to whom a short-term rental unit is furnished, such information is confidential pursuant to § 67-1-1702.

67-4-3304. A short-term rental unit marketplace shall not advertise or state in any manner, whether directly or indirectly, that any tax set out in § 67-4-3302(a)(1)-(4), in whole or in part, will be assumed or absorbed by the short-term rental unit provider, not be added to the occupancy, or be refunded.

67-4-3305. A short-term rental unit marketplace that collects the taxes set out in § 67-4-3302(a) is subject to the administration and enforcement provisions in chapter 6, parts 4 and 5 of this title.

67-4-3306. The department shall distribute the taxes collected pursuant to this part on a monthly basis to the applicable local governing body in which the short-term rental unit was located and for which the tax was collected. The department may deduct an administration fee of one and one hundred twenty-five thousandths percent (1.125%) of the collected tax to cover its expenses of administering the collection and distribution of the tax.

67-4-3307. The department may promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, not inconsistent with this chapter, other laws, or the constitution of this state or the United States, for the enforcement of this chapter and the collection of revenues under this chapter.

67-4-3308. This part is not applicable when, upon the effective date of this act, a local governing body is a party to a valid contract that includes terms related to the collection and remittance of the taxes set out in § 67-4-3302(a), with a short-term rental unit marketplace. This section applies only while the contract, or any successor agreement, remains valid and effective. If the contract terminates and no successor agreement is executed, then the taxes must be collected and remitted in accordance with this part.

67-4-3309.

Annually, on a date determined by the department and on a form created and provided by the department, every local government that imposes a tax set out in § 67-4-3302(a)(1)-(4) shall certify and report to the department the tax rate imposed by the local government. In the event of changes to the rate, the local government shall notify the department, in the manner prescribed by the department. The department shall collect the rate information and make the information accessible to the public.

SECTION 11. Tennessee Code Annotated, Section 67-5-801(b), is amended by designating the existing language as subdivision (1) and adding the following new subdivision (2):

(2) Notwithstanding subdivision (b)(1), when a parcel of real property is the principal residence of its owner, contains not more than one (1) rental unit, and is

used as a short-term rental unit, as defined by § 13-7-602, the assessor of property should presume the classification of the property is residential.

SECTION 12. Section 5 of this act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any local governmental action, including assessment of property for taxation purposes, occurring on or after August 1, 2020. All other sections of this act shall take effect January 1, 2021, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

On motion of Senator Stevens, Amendment No. 2 was withdrawn.

Thereupon, **Senate Bill No. 1778**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 2097 -- Scholarships and Financial Aid -- As introduced, enacts the "Financial Aid Simplification for Tennesseans (FAST) Act." Amends TCA Title 12, Chapter 3; Title 49, Chapter 1 and Title 49, Chapter 4.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Financial Aid Simplification for Tennesseans (FAST) Act".

SECTION 2. Tennessee Code Annotated, Section 12-3-102(a)(3), is amended by deleting the subdivision and substituting the following:

The board of trustees of the University of Tennessee system, the Tennessee board of regents system, the state university boards, the Tennessee higher education commission, and the Tennessee student assistance corporation;

SECTION 3. Tennessee Code Annotated, Section 12-3-303(a)(4), is amended by deleting the subdivision and substituting the following:

Contracts of the Tennessee higher education commission, the Tennessee student assistance corporation, and all state colleges and universities operated by the

board of trustees of the University of Tennessee, the board of regents, and the state university boards do not need to be approved by the chief procurement officer; however, these contracts are subject to applicable provisions of the rules and policies promulgated by the central procurement office and approved by the procurement commission; or

SECTION 4. Tennessee Code Annotated, Section 49-1-302(a)(10), is amended by deleting the subdivision.

SECTION 5. Tennessee Code Annotated, Section 49-4-202(a), is amended by deleting the subsection and substituting the following:

The Tennessee student assistance corporation is governed by a board of directors consisting of the governor, the commissioner of education, the state treasurer, the comptroller of the treasury, the commissioner of finance and administration, the president of the Tennessee Independent Colleges and Universities Association, the president of the Tennessee Proprietary Business School Association, the president of the University of Tennessee, the chancellor of the board of regents, the president of the Tennessee Association of Student Financial Aid Administrators, two (2) students enrolled in an institution of higher education in Tennessee, and three (3) private citizens involved in the field of education, but not employed by or professionally affiliated with any institution of higher education in the state.

SECTION 6. Tennessee Code Annotated, Section 49-4-202(d), is amended by deleting the subsection.

SECTION 7. Tennessee Code Annotated, Section 49-4-202(e), is amended by deleting the language "the director of the higher education commission," and "the chair of the Tennessee Independent Colleges and Universities".

SECTION 8. Tennessee Code Annotated, Title 49, Chapter 4, Part 2, is amended by deleting the language "parts 2-7" wherever it appears in §§ 49-4-201, 49-4-202, and 49-4-203 and substituting the language "parts 2, 3, and 6-9".

SECTION 9. Tennessee Code Annotated, Section 49-4-203(1), is amended by deleting the subdivision.

SECTION 10. Tennessee Code Annotated, Section 49-4-204, is amended by deleting the section and substituting the following:

The Tennessee student assistance corporation is authorized and directed to promulgate rules governing the making of awards of financial assistance to students that the corporation deems necessary to carry out and to make effective the purposes of parts 2, 3, and 6-9 of this chapter.

SECTION 11. Tennessee Code Annotated, Section 49-4-205, is amended by deleting the section.

SECTION 12. Tennessee Code Annotated, Section 49-4-212(e), is amended by deleting the subsection and substituting the following:

This program shall be available for participants who meet the eligibility criteria and complete an initial application no later than August 1, 2020, or a renewal application by the deadline published on the corporation's website each year thereafter. The availability of scholarship loans is subject to appropriation of funds in each year's general appropriations act.

SECTION 13. Tennessee Code Annotated, Section 49-4-301(a)(1), is amended by deleting the following language in subdivision (B):

Are enrolled or intend to enroll as full-time or part-time students in an institution of postsecondary education in this state that is either:

and substituting the following:

Are enrolled or intend to enroll in an eligible program of study as defined in § 49-4-902 as full-time or part-time students in an institution of postsecondary education in this state that is either:

SECTION 14. Tennessee Code Annotated, Section 49-4-304(a)(1), is amended by deleting the language "parts 2-7 of this chapter and the policies" and substituting the language "this part and the policies and rules".

SECTION 15. Tennessee Code Annotated, Title 49, Chapter 4, is amended by deleting Part 4.

SECTION 16. Tennessee Code Annotated, Title 49, Chapter 4, is amended by deleting Part 5.

SECTION 17. Tennessee Code Annotated, Section 49-4-704(b)(7), is amended by deleting the subdivision and substituting the following:

"Resident" means a person who was a resident of this state as classified pursuant to § 49-8-104, at the time the law enforcement officer, firefighter, or emergency medical service technician died or became totally and permanently disabled; and

SECTION 18. Tennessee Code Annotated, Section 49-4-705, is amended by deleting the section and substituting the following:

The Christa McAuliffe Scholarship program terminates effective August 1, 2020, at which time all funds remaining in the program's investment principal and investment earnings accounts shall be added to the reserve balances held by the student assistance corporation for the student assistance award under § 49-4-301. The transfer of funds is subject to transfer in the general appropriations act.

SECTION 19. Tennessee Code Annotated, Section 49-4-706, is amended by deleting subsection (a) and substituting the following:

(a)

(1) The Tennessee student assistance corporation (TSAC) shall administer a minority teaching fellows program for talented Tennesseans who aspire to be teachers.

(2) Participation in the minority teaching fellows program is limited to:

(A) College juniors, seniors, and post-baccalaureate candidates admitted to educator preparation programs in this state who pledge to teach in the public schools of this state for up to four (4) years; and

(B) Students who received the minority teaching fellows program award prior to July 1, 2021, and who continue to maintain all eligibility requirements.

(3) Recipients must maintain continuous enrollment in a degree program leading to licensure as a teacher in a higher education institution within this state with an educator preparation program approved by the state board of education.

(4) Each fellowship award is in the amount of five thousand dollars (\$5,000) and is renewable up to three (3) times, contingent upon satisfactory academic progress.

(5)

(A) Recipients who become public school teachers in this state shall receive forgiveness of the fellowship balance based on one (1) year's teaching service for each year the fellowship was awarded.

(B) TSAC shall forgive the loan if, within seven (7) years after graduation, the recipient teaches for three (3) consecutive years, unless the recipient takes an approved leave of absence, at a public school in an LEA that, at the time the recipient accepts employment with the LEA, is determined to be a school system that is marginal or in need of improvement as determined by the commissioner of education according to the school district accountability framework adopted by the state board of education. TSAC shall also forgive the loan because of the death or permanent disability of the recipient.

SECTION 20. Tennessee Code Annotated, Section 49-4-708(b)(4), is amended by deleting the subdivision and substituting the following:

"Eligible program of study" means, beginning with the fall semester of 2021, a federal Title IV-eligible curriculum of courses leading to a certificate, diploma, or associate degree at an eligible postsecondary institution. Courses taken at a four-year postsecondary institution prior to admission in, or that fulfill prerequisite requirements for, an eligible program of study are not considered part of the eligible program of study;

SECTION 21. Tennessee Code Annotated, Section 49-4-708(b)(8), is amended by deleting the subdivision and substituting the following:

"Resident" means a student classified as a resident of this state pursuant to § 49-8-104;

SECTION 22. Tennessee Code Annotated, Section 49-4-708(b)(10), is amended by deleting the subdivision and substituting the following:

"Tennessee Promise scholarship student" means a student admitted to and enrolled in an eligible program of study; and

SECTION 23. Tennessee Code Annotated, Section 49-4-708(c)(8), is amended by adding the language "certificate," before the language "diploma or associate degree" wherever it appears.

SECTION 24. Tennessee Code Annotated, Section 49-4-708(c)(8)(B)(ii), is amended by deleting the language "diploma or degree" and substituting the language "certificate, diploma, or associate degree".

SECTION 25. Tennessee Code Annotated, Section 49-4-902, is amended by adding the following as a new subdivision:

"Eligible program of study" means, beginning with the fall semester of 2021, a federal Title IV-eligible curriculum of courses leading to a certificate, diploma, or an associate or baccalaureate degree at an eligible postsecondary institution;

SECTION 26. Tennessee Code Annotated, Section 49-4-902(11), is amended by deleting subdivisions (B) and (C), and by adding the following language as a new subdivision:

() A private postsecondary institution accredited by a regional accrediting association that has its primary campus domiciled in this state;

SECTION 27. Tennessee Code Annotated, Section 49-4-902(37), is amended by inserting the language "coursework in an eligible program of" before the language "study in pursuit of".

SECTION 28. Tennessee Code Annotated, Section 49-4-902(38), is amended by inserting the language "coursework in an eligible program of" before the language "study in pursuit of".

SECTION 29. Tennessee Code Annotated, Section 49-4-902(43), is amended by deleting the word "Weighted" and substituting the words "High school" and redesignating the subdivision accordingly.

SECTION 30. Tennessee Code Annotated, Section 49-4-902(44), is amended by deleting the subdivision and substituting the following:

"Wilder-Naifeh technical skills grant" means a grant for coursework in an eligible program of study at a Tennessee college of applied technology operated by

the board of regents of the state university and community college system that is funded from net proceeds of the state lottery and awarded under this part.

SECTION 31. Tennessee Code Annotated, Section 49-4-905(a), is amended by deleting the subsection and substituting the following:

(a) To be eligible for a Tennessee HOPE scholarship, Tennessee HOPE access grant, Tennessee HOPE teacher's scholarship or a Wilder-Naifeh technical skills grant, a student must:

(1) Be a resident of this state, as classified pursuant to § 49-8-104;

(2) Make application for a Tennessee HOPE scholarship, Tennessee HOPE access grant, Tennessee HOPE teacher's scholarship, or Wilder-Naifeh technical skills grant; and

(3) Be admitted to an eligible postsecondary institution.

SECTION 32. Tennessee Code Annotated, Section 49-4-907(3)(A), is amended by deleting the word "weighted".

SECTION 33. Tennessee Code Annotated, Section 49-4-909(a)(2), is amended by deleting the subdivision and substituting the following:

Be classified as a resident of this state, pursuant to § 49-8-104;

SECTION 34. Tennessee Code Annotated, Section 49-4-909(a)(3), is amended by inserting the language "high school" before the language "grade point average".

SECTION 35. Tennessee Code Annotated, Section 49-4-909, is amended by deleting subdivision (f)(2) and by deleting subdivision (e)(3) and substituting the following:

(e)

(3) Time enrolled in an eligible postsecondary institution as a middle college scholarship student will not count towards the terminating events under § 49-4-913.

SECTION 36. Tennessee Code Annotated, Section 49-4-913, is amended by deleting subsections (b), (c), and (d).

SECTION 37. Tennessee Code Annotated, Section 49-4-916(a), is amended by deleting the subsection and substituting the following:

(a) To be eligible for a general assembly merit scholarship as an entering freshman, a student must:

(1) Meet all requirements for a Tennessee HOPE scholarship;

(2) Achieve a final high school grade point average of at least 3.75;

and

(3) Attain a composite ACT score of at least 29 on any single ACT test date or a concordant equivalent score on the SAT on any single SAT test date.

SECTION 38. Tennessee Code Annotated, Section 49-4-919, is amended by deleting subsection (b).

SECTION 39. Tennessee Code Annotated, Section 49-4-920(a)(3), is amended by deleting the subdivision and substituting the following:

Submit an initial Tennessee HOPE access grant application no later than September 1, 2021, or a renewal application by the deadline published on TSAC's website each year thereafter;

SECTION 40. Tennessee Code Annotated, Section 49-4-920(a)(5), is amended by deleting the language "overall weighted".

SECTION 41. Tennessee Code Annotated, Section 49-4-920, is amended by deleting subsection (g).

SECTION 42. Tennessee Code Annotated, Section 49-4-923, is amended by deleting the language "a program of study leading to a certificate or diploma" in subsections (b) and (f) and substituting the language "an eligible program of study".

SECTION 43. Tennessee Code Annotated, Section 49-4-927, is amended by deleting the section.

SECTION 44. Tennessee Code Annotated, Section 49-4-930(b)(2), is amended by deleting the subdivision and substituting the following:

Is a resident of this state, as classified pursuant to § 49-8-104;

SECTION 45. Tennessee Code Annotated, Section 49-4-930(c), is amended by deleting the subsection and substituting the following:

(c) A student receiving a dual enrollment grant may enroll in one (1) course per semester at an eligible postsecondary institution under the following conditions:

(1) To be eligible for a dual enrollment grant for a semester beyond the first semester of receipt in an academic year, the student must continue to meet all eligibility requirements for the grant and must achieve a cumulative grade point average of 2.75 for all postsecondary courses attempted under a dual enrollment grant; and

(2) Notwithstanding subdivision (c)(1), a student enrolled in a clock hour course that is not completed within one (1) semester, maintains eligibility for the grant in the subsequent semester so long as the student attends the number of clock hours required for grant disbursement for that course and continues to meet all eligibility requirements.

SECTION 46. Tennessee Code Annotated, Section 49-4-930(d)(2)(B), is amended by deleting the language "overall weighted".

SECTION 47. Tennessee Code Annotated, Section 49-4-930, is amended by deleting subsections (h) and (i), and substituting the following:

(h) Notwithstanding subsection (g), it is the intent of the general assembly that the award for dual enrollment courses annually identified as high-need by TSAC's board of directors pursuant to this subsection (h) covers the cost of maintenance fees for no more than four (4) courses attempted by a student under the following limitations:

(1) The maximum award for courses at eligible two-year and four-year postsecondary institutions must not exceed the maintenance fees established annually for the community colleges by the state university and community college system; and

(2) The maximum award at Tennessee colleges of applied technology must not exceed the maintenance fees associated with the attempted average clock hours weighted by program participation among dual enrollment students. This award amount must be calculated annually using the maintenance fees established by the state university and community college system.

(i) TSAC's board of directors may consider the following reports, in addition to other relevant information, to identify high-need courses for which a student is eligible to receive an award described in this section:

(1) The annual workforce and credential report described in § 49-7-112; and

(2) The annual workforce needs report described in § 49-7-1209.

(j) TSAC is authorized to promulgate rules to establish award amounts at the eligible postsecondary institutions and to otherwise effectuate the purposes of this section. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 48. Tennessee Code Annotated, Section 49-4-931(a)(4), is amended by deleting the word "or" at the end of subdivision (A) and adding the word "or" at the end of subdivision (B).

SECTION 49. Tennessee Code Annotated, Section 49-4-931(a)(4), is amended by adding the following as a new subdivision (C):

(C) Enroll in a baccalaureate degree program at an eligible four-year postsecondary institution while maintaining continuous enrollment immediately following completion of an associate degree under the Tennessee reconnect grant, established in § 49-4-944;

SECTION 50. Tennessee Code Annotated, Section 49-4-931, is amended by deleting subsections (d), (e), (f), and (g) and substituting the following:

(d) A student may receive a Tennessee HOPE scholarship for nontraditional students under this section until the first of the following events:

(1) The student has earned a baccalaureate degree; or

(2) Five (5) years have passed since the student enrolled in an eligible postsecondary institution as a nontraditional student.

(e) A nontraditional student shall not be eligible for an ASPIRE award for need under § 49-4-915 or a general assembly merit scholar supplemental award under § 49-4-916.

SECTION 51. Tennessee Code Annotated, Section 49-4-935(a)(1), is amended by deleting the subdivision and substituting the following:

Is a resident of this state, as classified pursuant to § 49-8-104;

SECTION 52. Tennessee Code Annotated, Section 49-4-936(a)(7), is amended by deleting the subdivision and substituting the following:

Apply for a Tennessee HOPE teacher's scholarship no later than August 1, 2020, or a renewal of a Tennessee HOPE teacher's scholarship by the deadline published on TSAC's website each year thereafter.

SECTION 53. Tennessee Code Annotated Section 49-4-938(b), is amended by deleting the subsection and substituting the following:

As used in this section, unless the context otherwise requires, "veteran" means a former member of the United States armed forces or a former or current member of a reserve or Tennessee National Guard unit who was called into active military service of the United States, as defined in § 58-1-102.

SECTION 54. Tennessee Code Annotated, Section 49-4-938(c)(2), is amended by deleting the subdivision and substituting the following:

Have been a resident of this state, as classified pursuant to § 49-8-104;

SECTION 55. Tennessee Code Annotated, Section 49-4-938(c)(7), is amended by deleting the language "successfully completes" and substituting the language "is enrolled in".

SECTION 56. Tennessee Code Annotated, Section 49-4-938(d), is amended by deleting the subsection and substituting the following:

A veteran who qualifies for a helping heroes grant under this section is not required to meet any academic standard at the time of initial enrollment in an eligible postsecondary institution to be eligible to receive the grant. A veteran may continue to be eligible to receive the grant by maintaining satisfactory academic progress as determined by the eligible postsecondary institution attended.

SECTION 57. Tennessee Code Annotated, Section 49-4-938(e), is amended by deleting the subsection and substituting the following:

A student who is enrolled in at least six (6) semester hours in a semester is eligible for a helping heroes grant. If a student is enrolled in twelve (12) or more semester hours, then the student receives the full amount of the grant as provided in subsection (f). If a student is enrolled in six (6) to eleven (11) semester hours, then the student receives one half (1/2) of the full grant. A student enrolled in fewer than six (6) semester hours in a semester is not eligible for the grant for that semester, but may subsequently be eligible for the grant in a semester in which the student is enrolled in at least six (6) semester hours if the student meets all other eligibility requirements during that semester.

SECTION 58. Tennessee Code Annotated, Section 49-4-943(b)(2), is amended by deleting the subdivision and substituting the following:

Have been a resident of this state, as classified pursuant to § 49-8-104;

SECTION 59. Tennessee Code Annotated, Section 49-4-943(e), is amended by deleting the subsection and substituting the following:

Subject to the amounts appropriated by the general assembly and any law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, the amount of a Tennessee STEP UP scholarship is the same as the amount of a Tennessee HOPE scholarship awarded under § 49-4-914 to students attending an eligible postsecondary institution.

SECTION 60. Tennessee Code Annotated, Section 49-4-902(31), is amended by deleting the subdivision and substituting the following:

(31) "Regional accrediting association" means:

- (A) The Middle States Commission on Higher Education;
- (B) The New England Commission on Higher Education;
- (C) The Higher Learning Commission;
- (D) The Northwest Commission on Colleges and Universities;
- (E) The Southern Association of Colleges and Schools; or
- (F) The Western Association of Schools and Colleges;

SECTION 61. Tennessee Code Annotated, Section 49-4-902, is amended by deleting subdivision (20).

SECTION 62. Tennessee Code Annotated, Section 49-4-704(c), is amended by deleting the words "Tennessee resident" and substituting instead the words "resident of this state".

SECTION 63. Tennessee Code Annotated, Section 49-4-708(c), is amended by deleting the words "Tennessee residents" and substituting instead the words "residents of this state".

SECTION 64. Tennessee Code Annotated, Section 49-4-902(10)(D), is amended by deleting the words "Tennessee residents" and substituting instead the words "residents of this state".

SECTION 65. Tennessee Code Annotated, Section 49-4-902(10)(E), is amended by deleting the words "Tennessee resident" and substituting instead the words "resident of this state".

SECTION 66. Tennessee Code Annotated, Section 49-4-902(36), is amended by deleting the words "Tennessee resident" and substituting instead the words "resident of this state".

SECTION 67. Tennessee Code Annotated, Section 49-4-934(c), is amended by deleting the words "Tennessee residents" and substituting instead the words "residents of this state".

SECTION 68. Tennessee Code Annotated, Section 49-4-942(c), is amended by deleting the words "Tennessee residents" and substituting instead the words "residents of this state".

SECTION 69. Tennessee Code Annotated, Section 49-4-944(c)(3), is amended by deleting the words "Tennessee resident" and substituting instead the words "resident of this state".

SECTION 70. Sections 13, 19, 20, 22, 25, 27, 28, 30, 35, 36, 38, 42, and 50 of this act shall take effect July 1, 2021, the public welfare requiring it. All remaining sections of this act shall take effect August 1, 2020, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Gresham moved that **Senate Bill No. 2097**, as amended, be moved 5 places down on the Calendar for today, which motion prevailed.

Senate Bill No. 2111 -- Public Funds and Financing -- As introduced, changes from January 31 to March 1, the date by which the commissioner of economic and community development must report to the general assembly on the administration of the program allocating the state's bond authority among governmental units having authority to issue bonds. Amends TCA Title 3; Title 4; Title 8; Title 9 and Title 12.

On motion, Senate Bill No. 2111 was made to conform with **House Bill No. 2156**.

On motion, House Bill No. 2156, on same subject, was substituted for Senate Bill No. 2111.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1

2696

UNOFFICIAL VERSION

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-3-731, is amended by adding the following as a new subsection:

(e) At least annually, the department shall report to the fiscal review committee the total number of persons or entities benefitting from money, grants, funds, or other incentives that failed to fulfill the commitments made by such persons or entities to the department pursuant to subsection (a) since the previous report, and the total amount of money, grants, funds, or other incentives recovered by the department from those persons or entities since the previous report.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 2156**, as amended, passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 2187 -- Boards and Commissions -- As introduced, transfers responsibility for administration of the Tennessee sports hall of fame from the commissioner of tourist development to the hall's board of directors and makes other changes concerning the sports hall of fame. Amends TCA Title 4, Chapter 3, Part 22 and Title 4, Chapter 3, Part 54.

On motion, Senate Bill No. 2187 was made to conform with **House Bill No. 2254**.

On motion, House Bill No. 2254, on same subject, was substituted for Senate Bill No. 2187.

On motion of Senator Dickerson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2254** passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley,

Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 2188 -- Advertising -- As introduced, defines the term "off-premises device" for purposes of the Billboard Regulation and Control Act of 1972; adds a severability clause to the act; makes other related revisions to the Act. Amends TCA Title 54, Chapter 17 and Title 54, Chapter 21.

On motion, Senate Bill No. 2188 was made to conform with **House Bill No. 2255**.

On motion, House Bill No. 2255, on same subject, was substituted for Senate Bill No. 2188.

Senator Massey moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Massey moved that Amendment No. 2 be placed at the heel of the Amendments, which motion prevailed.

Senator Massey moved that Amendment No. 3 be placed at the heel of the Amendments, which motion prevailed.

Senator Massey moved to amend as follows:

AMENDMENT NO. 4

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 54-17-103, is amended by deleting the section and substituting instead the following:

In this chapter, unless the context otherwise requires:

(1) "Advertise" means to establish an outdoor display by painting, pasting, or affixing on any surface, a picture, emblem, word, figure, numeral, or lettering for the purpose of making anything known;

(2) "Directional sign" means an official sign that identifies a site, attraction, or activity and directional information useful to a traveler in locating the site, attraction, or activity, including mileage, route numbers, or exit numbers;

(3) "Facility" means a commercial or industrial facility, or other facility open to the public, that operates with regular business hours on a year-round basis within a building or defined physical space, which may include a structure other than a building, together with any immediately adjacent parking areas; provided, that activity conducted in a temporary structure or a structure operated only on a seasonal basis may be considered a facility for the purpose of allowing an on-premises device to be located on the same property, but the device is only allowed on a temporary basis during the period the facility is actually conducting activity;

(4) "On-premises device" means a sign that is located within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the facility that owns or operates the sign or within fifty feet (50') of, and on the same parcel of

property and on the same side of the highway as, the entrance to the parcel of property upon which two (2) or more facilities are located;

(5) "Outdoor advertising device":

(A) Means a sign that is operated or owned by a person or entity that is earning compensation directly or indirectly from a third party or parties for the placement of a message on the sign; and

(B) Does not include a sign that is an on-premises device or other type of sign exempt from regulation under this chapter;

(6) "Scenic highway" means any highway, road, or sections of the highway or road designated as a scenic highway from time to time by the general assembly under this part; and

(7) "Sign" means an outdoor sign, light, display, device, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended, or used to advertise or inform any part of the advertising or informative contents of which is visible from any place on the main traveled way of an interstate system or primary system;

SECTION 2. Tennessee Code Annotated, Section 54-17-108, is amended by deleting the section and substituting instead the following:

54-17-108. Advertising or junkyards prohibited on scenic highways -- Authority of commissioner to acquire.

(a) Whenever a road or highway has been designated part of the system, it is unlawful for any person to construct, use, operate, or maintain any sign, except as provided in subsection (c) or § 54-17-109, or junkyard within two thousand feet (2,000') of any road or highway that is a designated part of the system and that is located either outside the corporate limits of any city or town or at any place within a tourist resort county, as defined in § 42-1-301.

(b) The commissioner is authorized to acquire an outdoor advertising device or junkyard by purchase, gift, or condemnation, and to pay just compensation for the removal of these devices and junkyards.

(c) Any outdoor advertising device lawfully in existence prior to the designation of the scenic byway may be maintained, repaired, or reconstructed according to the original application for the outdoor advertising permit.

SECTION 3. Tennessee Code Annotated, Section 54-17-109, is amended by deleting the section and substituting instead the following:

The following signs are excepted from § 54-17-108:

- (1) Official signs and notices, including directional and warning signs, authorized or required by law;
- (2) Utility signs; and
- (3) Signs other than outdoor advertising devices, as defined in § 54-21-102, if such signs:
 - (A)
 - (i) Have a sign face that does not exceed one hundred square feet (100 sq. ft.) in total area if the sign is an on-premises device; or
 - (ii) Have a sign face that does not exceed twelve square feet (12 sq. ft.) in total area if the sign is not an on-premises device;
 - (B) Do not contain any flashing, intermittent, or moving lights; and
 - (C) Are located at least one thousand feet (1,000') apart along the highway frontage if the signs are on-premises devices larger than twelve square feet (12 sq. ft.) and more than one (1) such sign is located on the same property.

SECTION 4. Tennessee Code Annotated, Title 54, Chapter 17, Part 1, is amended by adding the following as a new section:

If any provision of this part or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this part which can be given effect without the invalid provision or application, and to that end the provisions of this part are declared to be severable.

SECTION 5. Tennessee Code Annotated, Section 54-17-205, is amended by deleting the section and substituting instead the following:

54-17-205. Existing outdoor advertising structures.

(a) Whenever a road or highway has been designated part of the Tennessee parkway system, it is unlawful for any person to construct, use, operate, or maintain any sign, except as provided in subsection (c) or § 54-17-206, or junkyard within two thousand feet (2,000') of any road or highway that is a designated part of the system and that is located either outside the corporate limits of any city or town or at any place within a tourist resort county, as defined in § 42-1-301.

(b) The commissioner is authorized to acquire an outdoor advertising device or junkyard by purchase, gift, or condemnation, and to pay just compensation for the removal of these structures and junkyards.

(c) Any outdoor advertising device lawfully in existence prior to the designation of the parkway may be maintained, repaired, or reconstructed according to the original application for the outdoor advertising permit.

SECTION 6. Tennessee Code Annotated, Section 54-17-206, is amended by deleting the section and substituting instead the following:

54-17-206. Advertising structures, junkyards, and trash dumping.

(a) The provisions of the Scenic Highway System Act of 1971, compiled in part 1 of this chapter, regarding signs, outdoor advertising devices, junkyards, and trash dumping applies to the Tennessee parkway system. If a conflict exists between this part and part 1 of this chapter regarding signs, outdoor advertising devices, junkyards, and trash dumping, due to a road having been designated as being on both the scenic highway system pursuant to part 1 of this chapter and the parkway system pursuant to this part, then part 1 of this chapter shall prevail. It is the intent of the general assembly that nothing contained in this subsection (a) shall be construed as having any retroactive force or taking away any vested right or be applied to any contractual obligation.

(b) Subsection (a) shall not apply to those parts of the system lying within any comprehensively zoned area, unless otherwise provided by the zoning regulations and within one-half (1/2) mile of any section of the parkway system where it crosses an interstate highway system.

(c) The following signs are excepted from this part:

(1) Official signs and notices, including directional and warning signs, authorized or required by law;

(2) Utility signs; and

(3) Signs other than outdoor advertising devices, as defined in § 54-21-102, if such signs:

(A)

(i) Have a sign face that does not exceed five hundred square feet (500 sq. ft.) in total area if the sign is an on-premises device; or

(ii) Have a sign face that does not exceed thirty-six square feet (36 sq. ft.) in total area if the sign is not an on-premises device;

(B) Do not contain any flashing, intermittent, or moving lights;
and

(C) Are located at least one thousand feet (1,000') apart along the highway frontage if the signs are on-premises devices larger than

thirty-six square feet (36 sq. ft.) and more than one (1) such sign is located on the same property.

SECTION 7. Tennessee Code Annotated, Title 54, Chapter 17, Part 2, is amended by adding the following as a new section:

If any provision of this part or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this part which can be given effect without the invalid provision or application, and to that end the provisions of this part are declared to be severable.

SECTION 8. Tennessee Code Annotated, Title 54, Chapter 21, is amended by deleting the chapter in its entirety and substituting instead the following:

54-21-101. Short title.

This chapter shall be known and may be cited as the "Outdoor Advertising Control Act of 2020."

54-21-102. Chapter definitions.

As used in this chapter:

(1) "Adjacent area" means that area within six hundred sixty feet (660') of the nearest edge of the right-of-way of interstate and primary highways and visible from the main traveled way of the interstate or primary highways;

(2) "Changeable message sign" means an outdoor advertising device that displays a series of messages at intervals by means of digital display or mechanical rotating panels;

(3) "Commissioner" means the commissioner of transportation or the commissioner's designee;

(4) "Compensation" means the exchange of anything of value, including money, securities, real property interests, personal property interests, goods or services, promise of future payment, or forbearance of debt;

(5) "Conforming" means an outdoor advertising device that was permitted under and conforms to the zoning, size, lighting, and spacing criteria established in accordance with either the current agreement entered into between the commissioner and the secretary of transportation of the United States on or about October 18, 1984, or the original agreement entered into on or about November 11, 1971, as authorized in § 54-21-113. Any permitted outdoor advertising device that continues to conform to either the current agreement or the original agreement and conditions provided in § 54-21-113 is considered conforming;

(6) "Customary maintenance" means maintenance of a nonconforming outdoor advertising device, which may include, but shall not exceed, the replacement of the sign face and stringers in like materials, and the replacement in like materials of up to fifty percent (50%) of the device's poles, posts, or other support structures; provided, that the replacement of any poles, posts, or other support structures is limited to one (1) time within a twenty-four-month period;

(7) "Department" means the department of transportation;

(8) "Destroyed" means, with respect to a nonconforming outdoor advertising device, that, in the case of wooden sign structures, sixty percent (60%) or more of the upright supports of a sign structure are physically damaged such that normal repair practices would call for replacement of the broken supports or, in the case of metal sign structures, replacement of at least thirty percent (30%) of the length above ground of each broken, bent, or twisted support;

(9) "Digital display" means a type of changeable message sign that displays a series of messages at intervals through the electronic coding of lights or light emitting diodes or any other means that does not use or require mechanical rotating panels;

(10) "Directional sign" means an official sign that identifies a site, attraction, or activity and directional information useful to a traveler in locating the site, attraction, or activity, including mileage, route numbers, or exit numbers;

(11) "Erect" means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish, but does not apply to changes of copy treatment on an existing outdoor advertising device;

(12) "Facility" means a commercial or industrial facility, or other facility open to the public, that operates with regular business hours on a year-round basis within a building or defined physical space, which may include a structure other than a building, together with any immediately adjacent parking areas; provided, that activity conducted in a temporary structure or a structure operated only on a seasonal basis may be considered a facility for the purpose of allowing an on-premises device to be located on the same property, but the device is only allowed on a temporary basis during the period the facility is actually conducting activity;

(13) "Information center" means an area or site established and maintained at a safety rest area for the purpose of informing the public of places of interest within this state and providing other information the commissioner may consider desirable;

(14) "Interstate system" means that portion of the national system of interstate and defense highways, located within this state, as officially designated, or as may hereafter be designated, by the commissioner, and

approved by the secretary of transportation of the United States, pursuant to title 23 of the United States Code;

(15) "Main traveled way" means the traveled way of a highway on which through traffic is carried. In the case of a divided highway, the traveled way of each of the separated roadways for traffic in opposite directions is a main traveled way. "Main traveled way" does not include such facilities as frontage roads, turning roadways, or parking areas;

(16) "Nonconforming" means an outdoor advertising device that does not conform to the zoning, size, lighting, or spacing criteria established by and in accordance with either the current agreement entered into between the commissioner and the secretary of transportation of the United States, or in accordance with the original agreement entered into on or about November 11, 1971, as authorized in § 54-21-113. Any outdoor advertising device that continues to conform to either the current agreement or the original agreement as provided in § 54-21-113 shall not be considered nonconforming;

(17) "On-premises device" means a sign that is located within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the facility that owns or operates the sign or within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the entrance to the parcel of property upon which two (2) or more facilities are located;

(18) "Outdoor advertising device":

(A) Means a sign that is operated or owned by a person or entity that is earning compensation directly or indirectly from a third party or parties for the placement of a message on the sign; and

(B) Does not include a sign that is an on-premises device or other type of sign exempt from regulation under this chapter;

(19) "Person" means and includes an individual, a partnership, an association, a corporation, or other entity;

(20) "Primary system" means that portion of connected main highways, located within this state, as officially designated, or as may hereafter be designated by the commissioner, and approved by the secretary of transportation of the United States, pursuant to title 23 of the United States Code, including highways designated as part of the national highway system and highways formerly designated as part of the federal-aid primary system;

(21) "Safety rest area" means an area or site established and maintained within or adjacent to the right-of-way by or under public supervision or control, for the convenience of the traveling public;

(22) "Sign" means an outdoor sign, light, display, device, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended, or used to advertise or inform any part of the advertising

or informative contents of which is visible from any place on the main traveled way of an interstate system or primary system;

(23) "State system" means that portion of highways located within this state, as officially designated, or as may hereafter be designated by the commissioner;

(24) "Traveled way" means the portion of a roadway for the movement of vehicles, exclusive of shoulders;

(25) "Utility signs" means warning signs, notices, or markers that are customarily erected and maintained for operational and public safety purposes by publicly or privately owned utilities, railroads, ferries, airports, or other entities that provide utility or transportation services; and

(26) "Visible" means capable of being seen, whether or not readable, without visual aid by a person of normal visual acuity.

54-21-103. Restrictions on outdoor advertising devices on interstate and primary highways.

(a) An outdoor advertising device shall not be erected or maintained within six hundred sixty feet (660') of the nearest edge of the right-of-way and visible from the main traveled way of the interstate or primary highway systems in this state except the following:

(1) Outdoor advertising devices located in areas that are zoned industrial or commercial under authority of local government law and whose size, lighting, and spacing are consistent with customary use as determined by agreement between the state and the secretary of transportation of the United States; and

(2) Outdoor advertising devices located in unzoned commercial or industrial areas as may be determined by agreement between the state and the secretary of transportation of the United States.

(b) The following types of signs are not subject to regulation as outdoor advertising devices under subsection (a):

(1) Official signs and notices, including directional signs, authorized or required by law;

(2) On-premises devices;

(3) Signs other than outdoor advertising devices that:

(A) Have a sign face that does not exceed thirty-six square feet (36 sq. ft.) in total area; and

(B) Do not contain any flashing, intermittent, or moving lights;

(4) Landmark signs lawfully in existence on October 22, 1965, as authorized under 23 U.S.C. § 131 and 23 CFR 750.710; and

(5) Utility signs.

54-21-104. Permits and tags -- Fees.

(a)

(1) Unless otherwise provided in this chapter, a person shall not construct, erect, operate, use, maintain, or cause or permit to be constructed, erected, operated, used, or maintained, any outdoor advertising device within six hundred sixty feet (660') of the nearest edge of the right-of-way and visible from the main traveled way of the interstate or primary highway systems without first obtaining from the commissioner a permit and tag.

(2) If an existing outdoor advertising device was not subject to this chapter when it was erected but is subsequently made subject to this chapter by a federal law or action that adds a highway or section of a highway to the interstate or primary highway systems, such outdoor advertising device is required to obtain a permit and tag from the commissioner as provided in subdivision (b)(2).

(3) An outdoor advertising device erected within six hundred sixty feet (660') of the nearest edge of the right-of-way and visible from the main traveled way of the interstate or primary highway systems between September 11, 2019, and the effective date of this act, is deemed legal conforming or legal nonconforming and is required to obtain a permit and tag from the department as provided in subdivision (b)(2).

(4) Outdoor advertising devices that were permitted under the Billboard Regulation and Control Act of 1972, compiled in this chapter as it existed prior to the effective date of this act, shall be assigned the same permit number that was given under that act.

(b)

(1) Except as otherwise provided in subdivision (b)(2), permits and tags shall not be issued until applications are made in accordance with and on forms provided by the commissioner and accompanied by payment of a fee of two hundred dollars (\$200) for each permit and tag requested. This fee represents payment for the required tag and for the first annual permit and is not subject to return upon rejection of any application. The commissioner shall use best efforts to process an application for a permit, in accordance with the rules of the department, within no greater than sixty (60) days after a completed application is received. If the application is incomplete or defective on its face, the commissioner shall notify an applicant in writing no later than fifteen (15) days of receipt of the filed application of its incomplete or defective status, and indicate the information or documentation that is needed to complete or correct the application. If a decision either to issue or deny the permit cannot be made within sixty (60) days after receipt of the completed or

corrected application, the commissioner shall contact the applicant prior to the expiration of the sixty (60) days to provide an explanation of the reasons why additional time is needed to process the application.

(2) If an existing outdoor advertising device is made subject to this chapter under subdivision (a)(2) or (a)(3) or if an existing outdoor advertising device that was subject to this chapter when it was erected but is subsequently modified from its original permitted state as provided in subdivision (a)(2), the owner or operator of the outdoor advertising device shall obtain a permit and tag in the same manner as provided in subdivision (b)(1) except as follows:

(A) The application for the permit and tag must be made on an application form specifically provided for this purpose;

(B) The application form must exempt the applicant from providing:

(i) Any stake or mark on the ground showing the location of the outdoor advertising device on the real property;

(ii) A map or scaled drawing showing the property lines of the real property within which the outdoor advertising device is located, the location of the outdoor advertising device within the real property, the public roads adjacent to the real property, or the means of access to the outdoor advertising device; or

(iii) Any affidavit or other document from the real property owner verifying that the owner has granted the applicant the right to construct and operate the outdoor advertising device on the real property;

(C) The application must be accompanied by payment of a fee of seventy dollars (\$70.00) for each permit and tag requested. This fee represents payment for the required tag and for the first annual permit and is not subject to return upon rejection of any application;

(D) After a completed application is submitted to and processed by the department in accordance with this subdivision (b)(2) and the applicable provisions of the department's outdoor advertising device regulations, the department shall issue the permit, except as otherwise provided in subdivision (b)(2)(F);

(E) The department shall not deny a permit for an existing outdoor advertising device under this subdivision (b)(2) solely because the outdoor advertising device does not meet the size, lighting, spacing, or zoning criteria that are required for new outdoor advertising devices under current law and regulations;

(F)

(i) An application for a permit may be denied on other grounds under this subdivision (b)(2) only in accordance with current law or regulations, including as follows:

(a) The outdoor advertising device is located within or encroaches upon state highway right-of-way;

(b) There is no access to the outdoor advertising device for maintenance or operational purposes except by direct access from state highway right-of-way or across the state's access control limits;

(c) The applicant for the permit is subject to enforcement action under § 54-21-105(c); or

(d) Issuance of the permit would violate federal law;

(ii) Before denying a permit on any of the grounds provided in subdivision (b)(2)(F)(i), the department shall notify the applicant in writing of the violation that prevents issuance of the permit. The department shall also give the applicant a reasonable amount of time to undertake such action, if any, that would cure the violation. If the applicant cures the violation, the department shall issue the permit, but if the applicant fails to cure the violation, the department shall deny the permit;

(G) Any permit that is issued under this subdivision (b)(2) must indicate whether the outdoor advertising device is characterized and regulated as a conforming or nonconforming device under this chapter based upon the conditions and laws in effect on the date of the department's field inspection. The department shall notify the applicant in writing of the reason or reasons for characterizing a device as nonconforming; and

(H) The applicant has the right to appeal the department's decision in accordance with the department's outdoor advertising device rules and the applicable provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(3) An application for an addendum to an existing permit requesting authorization to upgrade an existing outdoor advertising device to a changeable message sign with a digital display, as provided in § 54-21-119, must also be accompanied by payment of a fee of two hundred dollars (\$200), which is not subject to return upon rejection of the application. An outdoor advertising device authorized by a valid permit from the department that was effective on September 10, 2019, and has been upgraded to a changeable message sign with a digital display between September 11, 2019, and the effective date of this act is required to apply for an addendum to the permit in accordance with this subdivision (b)(3). The department shall charge an

application fee of seventy dollars (\$70.00) for the addendum to the permit and shall process the application in the same manner as provided for an original permit under subdivisions (b)(2)(E)-(H).

(4) For the purposes of issuing permits and regulating outdoor advertising devices in accordance with this chapter, the location of a permitted outdoor advertising device is determined by the location of the supporting monopole, or by the location of the supporting pole nearest to the highway in the case of a device erected on multiple supporting poles; provided, however, that where a permitted multiple-pole device may be lawfully reconstructed, the replacement of the supporting poles with a monopole is not considered a change of location requiring a new permit if:

(A) The permittee gives advance notice to, and receives the prior approval of, the department before reconstructing the outdoor advertising device;

(B) The monopole is erected within the line segment defined by the previous supporting poles; and

(C) The location of the monopole meets applicable spacing requirements.

(5) Any advertising structure existing along the parkway system by and for the sole benefit of a nonprofit organization exempt from federal income tax under 26 U.S.C. § 501(c)(3) is exempt from the payment of fees for permits or tags under this subsection (b).

(c)

(1) All tags issued are permanent; however, permits must be renewed annually between November 1 and December 31, and the commissioner shall charge the sum of seventy dollars (\$70.00) for 2021 and thereafter for annual renewal of each permit. A valid permit that was effective on September 10, 2019, shall not become invalid based on any failure to renew the permit between November 1 and December 31, 2019, and such permit shall not be subject to renewal until the renewal period occurring after the effective date of this act.

(2) In the event that a permit has not been renewed by December 31 for the following year as required by subdivision (c)(1), the permit is not considered void until the commissioner has given the permit holder notice of the failure to renew and the opportunity to correct the unlawfulness, as provided in § 54-21-105(b). The department must send the notice of the failure to renew within sixty (60) days after the failure to renew. The failure to renew may be remedied by submitting a late renewal form and paying the annual permit renewal fee together with a late fee, in the total amount of two hundred dollars (\$200), within one hundred twenty (120) days of receipt of the notice. If a permit holder fails to renew the permit within this one-hundred-twenty-day notice period, then the permit is void and the outdoor advertising device is considered unlawful and subject to removal as further provided in §

54-21-105. The notice given by the commissioner must include the requirements for renewal and consequences of failure to renew as provided by this subdivision (c)(2).

(d) For each permit issued, the commissioner shall deliver to the applicant a serially numbered permit tag, which must be attached on the outdoor advertising device in a manner as to be visible from the main traveled way of the interstate or primary highway. If more than one (1) side of any structure is used for an outdoor advertising device, a permit and tag is required for each side. Any outdoor advertising device sculptured in the round is considered to have three (3) sides.

(e) For each replacement tag issued, the commissioner shall deliver to the applicant a serially numbered permit tag. The cost of this replacement tag is twenty-five dollars (\$25.00), payable at the time of request.

(f) Whenever it becomes necessary to transfer a permit from one (1) permit holder to another, the department shall charge a transfer fee of ten dollars (\$10.00) to the permit holder of record.

54-21-105. Failure to comply with § 54-21-104 -- Effect.

(a)

(1) Any owner of any outdoor advertising device who has failed to act in accordance with § 54-21-104 must remove the outdoor advertising device immediately.

(2) Failure to remove the outdoor advertising device renders the outdoor advertising device a public nuisance and subject to immediate disposal, removal, or destruction.

(3) In addition, the commissioner has the authority to assess and collect from the owner a civil penalty in the amount of five hundred dollars (\$500) for each calendar day after the date that the owner is determined through a contested case hearing to have failed to act in accordance with § 54-21-104. The total amount of the civil penalty imposed each year must not exceed ten thousand dollars (\$10,000).

(4) In addition, or in lieu of subdivisions (a)(1)-(3), the commissioner may enter upon any property on which an outdoor advertising device is located and dispose of, remove, or destroy the outdoor advertising device, all without incurring any liability for those actions.

(b) Prior to invoking this section, the commissioner shall give notice either by certified mail or by personal service to the owner of the outdoor advertising device or occupant of the land on which the outdoor advertising device is located. The notice must specify the basis for the alleged unlawfulness, the remedial action that is required to correct the unlawfulness, and advise that a failure to take the remedial action or request a hearing within forty-five (45) days results in the sign being subject to removal. In addition, the commissioner must give, or have previously given, the owner or operator of the outdoor advertising device an opportunity to request a

contested case hearing in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to determine the lawfulness of the outdoor advertising device. For good cause shown, the commissioner may extend the forty-five-day period for remedial action for up to an additional one hundred fifty (150) days, so long as all advertising content is removed from the unlawful outdoor advertising device within the forty-five-day period. If advertising content is placed on the outdoor advertising device during any extended period, the outdoor advertising device may be immediately removed by the commissioner without further notice. The owner of the outdoor advertising device is liable to the state for damages equal to three (3) times the cost of removal, in addition to disgorgement of any profit and gains or benefit derived from the violation and any other applicable fees, costs, or damages. The owner of the land on which the outdoor advertising device is located shall not be presumed to be the owner of the outdoor advertising device simply because it is on the owner's property.

(c)

(1) If the department has reason to believe that a sign is being operated, in whole or part, as an outdoor advertising device without first obtaining a permit as required under § 54-21-104, the department may issue an investigative request to the owner or operator of the sign, the owner of the property, or any other person for the purpose of obtaining relevant documents or information to determine whether the sign is being operated as an outdoor advertising device.

(2) If, after being served with an investigative request by the department under subdivision (c)(1), the person provides the requested documents or information and the department determines that the sign is being operated as an outdoor advertising device in violation of §§ 54-21-103 and 54-21-104, the department shall issue a written order to the owner or operator of the outdoor advertising device explaining the basis for determining that the sign is an outdoor advertising device and directing the owner or operator of the device to remedy the violation by applying for the applicable outdoor advertising device permit, or by removing the unlawful device, as appropriate, by the date set forth in the order, which shall be no less than sixty (60) days after the date of the order.

(3) The person may appeal the department's order under subdivision (c)(2) by filing a written notice of appeal with the department within thirty (30) days of the date on which the order is issued. If an appeal is timely filed with the department, the department shall initiate a contested case proceeding under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to hear the person's appeal.

(4) If a person fails to comply with the department's investigative request under subdivision (c)(1), or if the department reasonably believes the documents or information provided are incomplete or inaccurate, the department may initiate a contested case proceeding under the Uniform Administrative Procedures Act to compel the production of relevant documents or information and to determine whether the outdoor advertising

device is being operated in violation of §§ 54-21-103 and 54-21-104 and therefore subject to enforcement action under § 54-21-105.

54-21-106. Disposition of fees.

All fees received by the commissioner under § 54-21-104 must be paid into the state treasury and placed in the highway fund for the administration of this chapter, and any fees received in excess of those administration costs shall be allocated to the department's general fund.

54-21-107. Acquisition by commissioner of outdoor advertising devices along the interstate and primary highway systems.

(a) The commissioner is authorized to acquire by purchase, gift, or condemnation, and to pay just compensation upon the removal of the following outdoor advertising devices in areas adjacent to the interstate and primary highway systems:

- (1) Those lawfully in existence on April 4, 1972; and
- (2) Those lawfully erected on or after April 4, 1972.

(b)

(1) Compensation is authorized to be made only for the following:

(A) The taking from the owner of the outdoor advertising device of all right, title, leasehold, and interest in the outdoor advertising device; and

(B) The taking from the owner of the real property on which the outdoor advertising device is located, of the right to erect and maintain the outdoor advertising device on the property.

(2) If funds other than federal funds are used, the state shall follow the following order of purchasing priorities:

- (A) Volunteer nonconforming outdoor advertising devices;
- (B) Hardship situations;
- (C) Normal value signs;
- (D) Signs in areas that are designated scenic or parkway;
- (E) Product advertising on:
 - (i) Rural interstate;
 - (ii) Rural primary; and

(iii) Urban areas;

(F) Non-tourist-oriented directional advertising; and

(G) Tourist-oriented devices.

(3) All funds other than federal funds, acquired by the state from whatever source for the purpose of acquiring nonconforming outdoor advertising devices, must be appropriated by the general assembly to the department and shall not be earmarked for acquisitions at any particular location.

(4) Funds obtained from private sources not appropriated within one (1) year revert to the donor.

(5) Upon funds being made available, owners of outdoor advertising device must be notified of the availability of the funds for the purpose of volunteering nonconforming outdoor advertising devices for purchase by the state.

(c) Upon the request of the commissioner, the owner of the outdoor advertising devices and the owner of the property upon which the outdoor advertising device is located who are seeking compensation as provided under subdivisions (b)(1)(A) and (B) shall present evidence satisfactory to the commissioner that the outdoor advertising device in question was in existence or lawfully erected, as the case may be, on, before, or after the appropriate dates set out in subdivisions (a)(1) and (2). Except by court order, the commissioner shall not make any payment under subdivisions (b)(1)(A) and (B) until the proof has been presented. Notwithstanding this chapter, those outdoor advertising devices legally in existence on April 4, 1972, are entitled to remain in place and in use until compensation for removal has been made as provided in this section.

(d) In determining whether any outdoor advertising device is lawful or unlawful, any failure to have obtained a license or permit, or to have attached a permit, or failure to have complied with setback requirements is not a cause for declaring any outdoor advertising device unlawful. Any person having constructed, erected, operated, used, maintained, or having caused or permitted any outdoor advertising device to be constructed, erected, operated, used, or maintained, shall pay the fee prescribed by § 54-21-104; provided, that the outdoor advertising device was erected prior to April 4, 1972.

54-21-108. Restrictions on outdoor advertising devices adjacent to state highways.

(a) Control of outdoor advertising devices, as provided in §§ 54-21-103 and 54-21-104, is extended to outdoor advertising devices located beyond six hundred sixty feet (660') of the edge of the right-of-way of the federal-aid interstate or primary systems outside of urban areas erected with the purpose of their message being read from the main traveled ways of the systems. Such outdoor advertising devices are prohibited, regardless of whether located in commercial or industrial areas, unless they are of a class or type allowed under existing law within six hundred sixty feet

(660') of the edge of the right-of-way of the systems outside of commercial or industrial areas.

(b) Those outdoor advertising devices lawfully erected prior to July 1, 1976, but prohibited as of July 1, 1976, by subsection (a) shall be removed upon the payment of just compensation in the same manner and subject to the same limitations as outdoor advertising devices lawfully erected within six hundred sixty feet (660') of the edge of the right-of-way of the federal-aid interstate and primary systems outside of commercial and industrial areas.

(c) Signs lawfully in existence on October 22, 1965, determined by the commissioner, subject to the concurrence of the secretary of transportation of the United States, to be landmark signs, including signs on farm structures or natural surfaces, of historic or artistic significance, the preservation of which would be consistent with the purposes of this section, are not required to be removed.

54-21-109. Damage, destruction, or removal of signs or markers on state highway system.

A person shall not erect any sign, or affix another sign to or on any sign erected under the authority of the department, on any right-of-way of any state highway without authorization from the department.

54-21-110. Information for traveling public.

In order to provide information in the specific interest of the traveling public, the commissioner is authorized to maintain maps and to permit informational directories and advertising pamphlets to be made available at safety rest areas for the purpose of informing the public of places of interest within the state and providing other information considered desirable.

54-21-111. Power of commissioner to enforce provisions; rulemaking.

The commissioner is given authority to and shall, within sixty (60) days of the effective date of this act, begin promulgating and enforcing only those rules as necessary to carry out this chapter and 23 U.S.C. § 131; provided, that the commissioner by rule shall establish procedures for accepting and resolving written complaints related to signs that are subject to this chapter. The rules must include:

(1) A process to make information available describing the department's procedures for complaint investigation and resolution, including making information about the procedures available on the department's website;

(2) A system to prioritize complaints so that the most serious complaints receive attention before less serious complaints; and

(3) A procedure for compiling and reporting detailed annual statistics about complaints.

54-21-112. Commissioner's authority to enter on property without penalty.

The commissioner and all employees under the commissioner's direction, in the performance of their functions and duties under this chapter, may enter into and upon any property, without penalty, upon which an outdoor advertising device is located and make examinations and surveys as may be relevant or dispose of the outdoor advertising device when disposal is provided for under this chapter.

54-21-113. Commissioner's authority to enter into agreement with secretary of transportation.

(a) The commissioner is authorized and directed to enter into agreements with the secretary of transportation of the United States regarding the definition of unzoned industrial and commercial areas; and regarding the size, lighting, and spacing of outdoor advertising devices that may be erected and maintained within six hundred sixty feet (660') of the nearest edge of the right-of-way within the areas adjacent to the interstate and primary systems that are zoned industrial or commercial under the authority of state or local law, or in unzoned industrial or commercial areas that may be permitted in accordance with the terms of the agreement between the commissioner and the secretary of transportation of the United States. In any agreement entered into with the secretary of transportation, the commissioner reserves the right to renegotiate or make whatever modifications are necessary to conform to any subsequent amendments to the federal Highway Beautification Act of 1965, compiled in 23 U.S.C. §§ 131, 136, and 319. Any modification of the agreement with the United States department of transportation that the commissioner signed on or about November 11, 1971, or any subsequent agreement becomes effective only upon passage of an act authorizing the modification by the general assembly.

(b) The commissioner is authorized to execute a modification of the agreement signed on or about November 11, 1971, to change the maximum area for any one (1) outdoor advertising device from one thousand two hundred square feet (1,200 sq. ft.) to seven hundred seventy-five square feet (775 sq. ft.); to reduce the optional maximum square footage of outdoor advertising devices authorized in counties having a population greater than two hundred fifty thousand (250,000) from three thousand square feet (3,000 sq. ft.) to one thousand two hundred square feet (1,200 sq. ft.); to modify the agreement to change the minimum spacing of outdoor advertising devices on the interstate system and controlled access highways on the primary system from five hundred feet (500') to one thousand feet (1,000') where the same are not separated by buildings or other obstructions, so that only one (1) outdoor advertising device is visible from the highway at any one (1) time; to change the minimum spacing on noncontrolled access highways on the primary system outside the corporate limits of a municipality from three hundred feet (300') to five hundred feet (500'); and to change the minimum distance from an interchange, or intersection at grade, on the interstate system or controlled access highways on the primary system, outside incorporated cities, from five hundred feet (500') to one thousand feet (1,000'). Inside the corporate limits of a municipality, the distance between signs remains one hundred feet (100'). Permits issued prior to any change authorized for outdoor advertising devices or for outdoor advertising devices subsequently erected pursuant to the permit, that meet size, lighting, spacing, and zoning criteria are unaffected.

(c) The commissioner is further authorized to change the definition of an unzoned commercial or industrial area to provide that only those areas on which there is located one (1) or more permanent structures within which a commercial or an industrial business is actively conducted, and that are equipped with all customary utilities facilities and open to the public regularly or regularly used by employees of the business as their principal work station, or that, due to the nature of the business, are equipped, staffed, and accessible to the public as is customary, may be so defined.

(d)

(1) The commissioner is authorized to execute a modification of the agreement signed on or about November 11, 1971, to change the minimum distance from an interchange, or intersection, at grade, on the interstate system or controlled access highway on the primary system, outside incorporated cities, to five hundred feet (500') when the interchange or intersection is within two thousand five hundred feet (2,500') of an interchange or intersection, at grade, of a welcome station. This distance may be measured from that side of the interstate or controlled access highway on which the outdoor advertising is to be located if a determination is made by the commissioner that there exists a geographical feature or foliage in the median of the highway that would substantially block visibility of such outdoor advertising device from any lane of highway on the opposite side of the median.

(2) If the commissioner is formally notified by the appropriate federal offices of the United States department of transportation that as a result of any provision of this subsection (d), the state will lose federal funds or if a loss of federal funds occurs, then the provision is void and inoperative.

(3) If subsection (d) is found to be void and inoperative, or if notice is received from the United States department of transportation as provided in subdivision (d)(2), then any outdoor advertising device placed pursuant to this subsection (d) must be removed immediately by and at the expense of the owner. Failure to remove the outdoor advertising device renders the sign a public nuisance and § 54-21-105 applies. Nothing in this subsection (d) grants an absolute right in the placement of an outdoor advertising device or makes the state in any way liable under this subsection (d), if this subsection (d) is found in violation of any federal regulations as provided in subdivision (d)(2).

54-21-114. Exceptions.

This chapter does not apply to signs or markers identifying the location or depth of underground communications and power cables, water mains, gas transmission lines, and other utility facilities located within or without the boundary of the right-of-way of the interstate or primary highway systems in the state.

54-21-115. Outdoor advertising on certain interstate highways prohibited -- Penalty -- Exceptions.

No outdoor advertising device shall be erected or continued in use for the purpose of having its message read from the main traveled ways of Interstate 26 from State Route 1 in Sullivan County to State Route 67 in Washington County (formerly Interstate 181), except those portions within the boundaries of an incorporated municipality on March 3, 1994, Interstate 440 in Davidson County, Interstate 640 in Knox County, or the section of State Route 840 in Williamson County from State Route 246 to one (1) mile from the intersection with State Route 100. Failure to comply with this section renders the outdoor advertising device a nuisance, subject to immediate disposal, removal, or destruction and subject to the civil penalty and remedies provided in § 54-21-105. Valid permits for outdoor advertising devices located along Interstate 640 in Knox County issued prior to May 13, 1982, remain valid after May 13, 1982, and the holders of the permits are permitted to construct, reconstruct, maintain, or repair the outdoor advertising devices according to the original application for which a permit was issued. Valid permits for outdoor advertising devices located along Interstate 26 from State Route 1 in Sullivan County to State Route 67 in Washington County (formerly Interstate 181), issued prior to March 3, 1994, remain valid after March 3, 1994, and the holders of the permits are permitted to construct, reconstruct, maintain, or repair the outdoor advertising devices according to the original application for which a permit was issued.

54-21-116. Vegetation control permits and fees.

(a)

(1) The commissioner shall issue to the owners or holders of lawfully issued outdoor advertising device permits, which definition includes those described as legal conforming, grandfathered, and nonconforming outdoor advertising devices in federal regulations, when the face of the outdoor advertising device is generally visible to occupants of vehicles from the main traveled ways of the system on the date of erection, permits to remove, block cut, or trim vegetation located on the right-of-way adjacent to the outdoor advertising device and replace the vegetation as directed, whenever the vegetation prevents clear visibility for a distance not to exceed five hundred yards (500 yds.) to occupants of vehicles using the main traveled ways of the controlled systems. Notwithstanding this chapter to the contrary, vegetation that, on the date of erection of the outdoor advertising device, blocks the view of the outdoor advertising device, in whole or in any part, for a distance not to exceed five hundred yards (500 yds.), to occupants of vehicles using the main traveled ways, is not eligible for removal under a vegetation control permit. The maximum area to be controlled shall not exceed five hundred feet (500'). The regional engineering director for the department shall issue a vegetation control permit where all criteria are met, following submission of information specified and a nonrefundable fee of one hundred dollars (\$100) for each face involved. Vegetation control permits will be issued upon payment of a fee of one hundred fifty dollars (\$150) per face for supervision of the work. All fees received by the commissioner under this section shall be deposited to the highway fund for the administration of this part. Each subsequent year a maintenance permit may be purchased for fifty dollars (\$50.00) to provide annual maintenance at any one (1) location that is consistent with the original vegetation control permit. Vegetation permits issued pursuant to the Billboard Regulation and Control Act of 1972, compiled in this chapter as it existed prior

to the effective date of this act, shall be reinstated under this act. Alternatively, the owner of the device may apply for a new vegetation control permit, and the department shall issue the permit.

(2) No later than thirty (30) days from the effective date of this act, the commissioner shall develop and make available any forms necessary to apply for a permit and shall begin accepting and considering such applications. The commissioner shall use best efforts to process an application for a permit, in accordance with the rules of the department, within no greater than thirty (30) days after a completed application is received. If the application is incomplete or defective on its face, the commissioner shall notify an applicant in writing no later than fifteen (15) days of receipt of the filed application of its incomplete or defective status, and indicate the information or documentation that is needed to complete or correct the application. If a decision to approve or deny the application cannot be made within thirty (30) days after receipt of the completed or corrected application, the commissioner shall contact the applicant prior to the expiration of the thirty (30) days to provide an explanation of the reasons why additional time is needed to process the application. If the application is approved, the applicant shall notify the commissioner of the date on which the applicant wishes the permit to be issued. The applicant shall complete the authorized vegetation control within the time period specified in the permit, and in any event, the applicant shall complete the vegetation control within one (1) year after the date on which the application was approved or the application approval and permit is void.

(b) One (1) vegetation control permit fee must be waived for those owners who voluntarily remove a nonconforming outdoor advertising device. If the nonconforming outdoor advertising device to be removed is not at least one hundred fifty square feet (150 sq. ft.) in size, two (2) nonconforming outdoor advertising devices must be removed to authorize waiver. The latter applies only when the outdoor advertising device around which control is to occur is larger than three hundred square feet (300 sq. ft.).

(c) This waiver shall not be used as evidence in any future eminent domain proceeding relating to nonconforming outdoor advertising devices.

(d) Notwithstanding any other law to the contrary, it is the legislative intent that issuance of permits and carrying out of the work pursuant to the permits are lawful activities and shall not be construed as violating any provision of law.

(e) The commissioner may revoke, suspend, or modify any vegetation control permit for cause, including violation of any terms or conditions of the permit.

54-21-117. Unauthorized removal, cutting, or trimming of vegetation.

(a) If, before obtaining an outdoor advertising device permit and a vegetation control permit, vegetation located on the right-of-way is removed, cut, or trimmed, and application is subsequently made for an outdoor advertising permit, then the commissioner may deny the permit.

(b) If, before applying for a vegetation control permit, vegetation located on the right-of-way is removed, cut, or trimmed in the vicinity of an outdoor advertising device, which action was reasonably calculated to afford greater visibility of the outdoor advertising device, then the commissioner may revoke the outdoor advertising device permit or permits for the affected outdoor advertising devices.

(c) Prior to invoking this section, the commissioner or the commissioner's designee shall advise the affected outdoor advertising device permit applicant or holder, whichever is appropriate, that a preliminary determination of illegality has been made. The party so advised must be given the opportunity to request a hearing to be conducted pursuant to contested case provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, before the commissioner may make a final determination of illegality.

54-21-118. Restrictions on new outdoor advertising devices.

(a) After July 1, 2001, permits shall not be issued pursuant to this chapter for any new outdoor advertising device in which two (2) or more displays are stacked one (1) above the other. Outdoor advertising devices with two (2) or more displays stacked one (1) above the other that were legally erected on or before July 1, 2001, are unaffected by this subsection (a).

(b) The holder of a legal permit under subsection (a) may move the outdoor advertising device to a new location, if that location is otherwise eligible for a permit.

54-21-119. Changeable message signs.

(a) Changeable message signs may be double faced, back to back, or V-type signs.

(b) Changeable message signs with a digital display that meet all other requirements pursuant to this chapter are permissible subject to the following restrictions:

(1) The message display time must remain static for a minimum of eight (8) seconds with a maximum change time of two (2) seconds;

(2) Video, continuous scrolling messages, and animation are prohibited; and

(3) The minimum spacing of the changeable message signs with a digital display facing the same direction of travel on the same side of the interstate system or controlled access highways is two thousand feet (2,000'); provided, however, that an outdoor advertising device that uses only a small digital display, not to exceed one hundred square feet (100 sq. ft.) in total area, within a larger non-digital sign face is not subject to the minimum spacing requirement established in this subdivision (b)(3), or to any application for a specific digital display permit or permit addendum as established in subsections (c) and (d), or to any fee for a permit addendum as established in § 54-21-104(b).

(c) A person shall not erect, operate, use, or maintain a changeable message sign with a digital display in a new location without first obtaining a permit and tag expressly authorizing a changeable message sign with a digital display, and annually renewing the permit and tag, as provided in § 54-21-104. The department shall not require any additional permit under this subsection (c) for an outdoor advertising device with a digital display lawfully permitted, erected, and in operation prior to the effective date of this act.

(d) A person shall not erect, operate, use, or maintain a changeable message sign with a digital display in place of or as an addition to any existing permitted outdoor advertising device without first obtaining, and annually renewing with the permit, an addendum to the permit expressly authorizing a changeable message sign with a digital display in that location as provided in § 54-21-104(b)(3).

(e) The commissioner shall under no circumstances permit or authorize any person to erect, operate, use, or maintain a changeable message sign of any type as a replacement for or as an addition to any nonconforming outdoor advertising device or in any nonconforming location.

(f) Notwithstanding any other law to the contrary, a person who is granted a permit or an addendum to a permit authorizing a changeable message sign with a digital display in accordance with subsection (c) or (d) has up to, but no more than, twelve (12) months after the date on which the permit or addendum is granted within which to erect and begin displaying an outdoor advertising message on the changeable message sign; provided, however, that prior to the expiration of this twelve-month period, and upon making application to the commissioner and paying an additional permit fee in the amount of two hundred dollars (\$200), the permit holder may obtain an additional twelve (12) months within which to erect and begin displaying an outdoor advertising message on the changeable message sign. This additional two-hundred-dollar fee is separate from any annual permit renewal fee required under § 54-21-104. If the permitted or authorized changeable message sign with a digital display is not erected and displaying a message within the required time, or as extended, the permit or addendum to the permit will be revoked and the changeable message sign with the digital display must be removed by the applicant or subject to removal by the commissioner as provided in § 54-21-105.

(g) Any application for a permit or addendum for a digital display as described in this section may be made using the form for an application for permit for an outdoor advertising device existing on the effective date of this act, until a separate form is available.

(h)

(1) All changeable message signs installed on or after July 1, 2014, must come equipped with a light-sensing device that automatically adjusts the brightness in direct correlation with ambient light conditions.

(2) The brightness of light emitted from a changeable message sign must not exceed 0.3 foot candles over ambient light levels measured at a distance of one hundred fifty feet (150') for those sign faces less than or equal to three hundred square feet (300 sq. ft.), measured at a distance of two

hundred feet (200') for those sign faces greater than three hundred square feet (300 sq. ft.) but less than or equal to three hundred eighty-five square feet (385 sq. ft.), measured at a distance of two hundred fifty feet (250') for those sign faces greater than three hundred eighty-five square feet (385 sq. ft.) and less than or equal to six hundred eighty square feet (680 sq. ft.), measured at a distance of three hundred fifty feet (350') for those sign faces greater than six hundred eighty square feet (680 sq. ft.), or subject to the measuring criteria in the applicable table set forth in subdivision (h)(4).

(3) Any measurements required pursuant to this subsection (h) must be taken from a point within the highway right-of-way at a safe distance from the edge of the traveled way, at a height above the roadway that approximates a motorist's line of sight, and as close to perpendicular to the face of the changeable message sign as practical. If perpendicular measurement is not practical, valid measurements may be taken at an angle up to forty-five (45) degrees from the center point of the sign face. If measurement shows a level above that prescribed in subdivision (h)(4), the exact calculations must be provided to the sign permit holder.

(4) In the event it is found not to be practical to measure a changeable message sign at the distances prescribed in subdivision (h)(2), a measurer may opt to measure the sign at any of the alternative measuring distances described in the applicable table set forth in this subdivision (h)(4). In the event the sign measurer chooses to measure the sign using an alternative measuring distance, the prescribed foot candle level above ambient light must not exceed the prescribed level, to be determined based on the alternative measuring distances set forth in the tables in subdivisions (h)(4)(A), (B), (C), and (D), as applicable. For any measuring distance between the alternative measuring distances set forth in the following tables, the prescribed foot candle level above ambient light must not exceed the interpolated level derived from the following formula:

$$[I2 = (D2 < 2 > / D1 < 2 >) \times I1]$$

Where I1 = the prescribed foot candle level above ambient light for the measuring distance listed in the tables, I2 = the derived foot candle level above ambient light for the desired measuring distance, D1 = the desired measuring distance in feet, and D2 = the alternative measuring distance in feet listed in the tables, as follows:

(A) For changeable message signs less than or equal to three hundred square feet (300 sq. ft.):

Alternative Measuring Distance: Level:	Prescribed Foot Candle
100	0.68
125	0.43
150	0.3

200	0.17
250	0.11
275	0.09
300	0.08
325	0.06
350	0.06
400	0.04

(B) For changeable message signs greater than three hundred square feet (300 sq. ft.) but less than or equal to three hundred eighty-five square feet (385 sq. ft.):

Level:	Alternative Measuring Distance:	Prescribed Foot Candle
	100	1.2
	125	0.77
	150	0.53
	200	0.3
	250	0.19
	275	0.16
	300	0.13
	325	0.11
	350	0.1
	400	0.08

(C) For changeable message signs greater than three hundred eighty-five square feet (385 sq. ft.) but less than or equal to six hundred eighty square feet (680 sq. ft.):

Level:	Alternative Measuring Distance:	Prescribed Foot Candle
	100	1.88
	125	1.2

150	0.83
200	0.47
250	0.3
275	0.25
300	0.21
325	0.18
350	0.15
400	0.12

(D) For changeable message signs greater than six hundred eighty square feet (680 sq. ft.):

Level:	Alternative Measuring Distance:	Prescribed Foot Candle
	100	3.675
	125	2.35
	150	1.63
	200	0.92
	250	0.59
	275	0.49
	300	0.41
	325	0.35
	350	0.3
	400	0.23
	425	0.2
	450	0.18
	500	0.15

(5) This subsection (h) applies to all changeable message signs located in this state operated pursuant to a permit issued by the commissioner.

54-21-120. Removal of nonconforming device that is destroyed.

A nonconforming outdoor advertising device that is destroyed is no longer permitted and must be removed, except when the outdoor advertising device is destroyed by vandalism or some other criminal or tortious act.

SECTION 9. The headings to sections in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 10. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 11. Notwithstanding any law to the contrary, if the department of transportation receives documentation from a federal agency that compliance with a provision of this act jeopardizes federal funding or grant money for the department, then the department shall promulgate emergency rules to address the area of noncompliance with the federal law referenced in the federal agency documentation. The department shall comply with each provision of this act that does not jeopardize the federal funding or grant money. The emergency rules promulgated pursuant to this section may conflict with and take precedence over statutory provisions to effectuate the purposes of this section. The commissioner of transportation shall deliver to the executive secretary of the Tennessee code commission a copy of the documentation from the federal agency.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 4 was adopted.

Senator Massey moved that Amendment No. 5 be placed at the heel of the Amendments, which motion prevailed.

Senator Massey moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Massey moved that Amendment No. 2 be placed at the heel of the Amendments, which motion prevailed.

Senator Massey moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting the following in the amendatory language of Section 1:

(4) "On-premises device" means a sign that is located within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the facility that owns or operates the sign or within fifty feet (50') of, and on the same

parcel of property and on the same side of the highway as, the entrance to the parcel of property upon which two (2) or more facilities are located;

and substituting instead the following:

(4) "On-premises device" means a sign:

(A) That is located within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the facility that owns or operates the sign or within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the entrance to the parcel of property upon which two (2) or more facilities are located; and

(B) For which compensation is not being received and not intended to be received;

AND FURTHER AMEND by deleting the following in § 54-21-102 in the amendatory language of Section 8:

(17) "On-premises device" means a sign that is located within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the facility that owns or operates the sign or within fifty feet (50') of, and on the same parcel of

property and on the same side of the highway as, the entrance to the parcel of property upon which two (2) or more facilities are located;

and substituting instead the following:

(17) "On-premises device" means a sign:

(A) That is located within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the facility that owns or operates the sign or within fifty feet (50') of, and on the same parcel of property and on the same side of the highway as, the entrance to the parcel of property upon which two (2) or more facilities are located; and

(B) For which compensation is not being received and not intended to be received;

AND FURTHER AMEND by adding the following as a new subdivision (25) in § 54-21-102 in the amendatory language of Section 8, and renumbering existing subdivision (25) and the remaining subdivisions accordingly:

(25) "Unzoned commercial or industrial area"

(A) Means an area on which there is located one (1) or more permanent structures devoted to a commercial or industrial activity or on which a commercial or industrial activity is actually conducted, regardless of whether a permanent structure exists, and includes the area along the highway extending outward six hundred feet (600 ft.) from and beyond the

edge of such activity in each direction and a corresponding zone directly across a primary highway that is not also a limited access highway when the area is not primarily residential in character or a:

- (i) Public park;
- (ii) Public playground;
- (iii) Public recreational area;
- (iv) Public forest, wildlife, or waterfowl refuge;
- (v) Historic scenic area; or
- (vi) Cemetery;

(B) Does not include land across the highway from a commercial or industrial activity when the highway is an interstate or controlled access primary highway;

(C) Must be measured from the outer edges of the regularly used buildings, parking lots, storage, processing, or landscaped areas of the commercial or industrial activity, not from the property lines of the activity, and the measurements must be along or parallel to the edge of the pavement of the highway; and

(D) Does not include the following activities conducted within the area, when considered for purposes of outdoor advertising:

- (i) Outdoor advertising structures;
- (ii) Agricultural, forestry, ranching, grazing, farming, and related activities, including wayside fresh produce stands;
- (iii) Transient or temporary activities;
- (iv) Activities not visible from the main traveled way;
- (v) Activities more than six hundred sixty feet (660 ft.) from the nearest edge of the right-of-way;
- (vi) Activities conducted in a building primarily used as a residence; and
- (vii) Railroad tracks and minor sidings;

AND FURTHER AMEND by deleting the language "thirty-six square feet (36 sq. ft.)" wherever it appears in § 54-17-206(c)(3) in the amendatory language of Section 6 and substituting instead the language "twenty square feet (20 sq. ft.)".

AND FURTHER AMEND by deleting the language "thirty-six square feet (36 sq. ft.)" in § 54-21-103(b)(3)(A) in the amendatory language of Section 8 and substituting instead the language "twenty square feet (20 sq. ft.)".

AND FURTHER AMEND by deleting the language "ten thousand dollars (\$10,000)" in § 54-21-105(a)(3) in the amendatory language of Section 8 and substituting instead the language "five thousand dollars (\$5,000)".

On motion, Amendment No. 3 was adopted.

Senator Massey moved to amend as follows:

AMENDMENT NO. 5

AMEND by deleting the following language in the definition of "unzoned commercial or industrial area" in § 54-21-102 in the amendatory language of Section 8:

Means an area on which there is located one (1) or more permanent structures devoted to a commercial or industrial activity or on which a commercial or industrial activity is actually conducted, regardless of whether a permanent structure exists,

and substituting instead the language:

Means an area on which there is located one (1) or more permanent structures within which a commercial or industrial business is actively conducted, and which is equipped with all customary utilities facilities and open to the public regularly or regularly used by employees of the business as their principal work station, or which, due to the nature of the business, is equipped, staffed, and accessible to the public as necessary,

Pursuant to Rule 39(3), Amendment No. 5 was adopted by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yabro and Mr. Speaker McNally--32.

On motion of Senator Massey, Amendment No. 1 was withdrawn.

On motion of Senator Massey, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 2255**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 2677 -- Taxes, Sales -- As introduced, changes, from February 1 to February 15, the date by which the department of revenue must report findings and recommendations regarding sales taxes collected on electronic nicotine delivery devices to the speakers of the senate and the house of representatives and the chairs of the respective finance, ways and means committees. Amends TCA Title 67.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1.

(a) The department of revenue is instructed to revise Rule 1320-05-01-.129 in an expedient manner to require out-of-state dealers to collect and remit sales taxes to the state if such dealers engage in the regular or systematic solicitation of consumers in this state through any means and make sales that exceed one hundred thousand dollars (\$100,000) to consumers in this state during the previous twelve-month period.

(b) The general assembly finds that the sales threshold standard required by subsection (a) matches the benchmark established by South Dakota that was analyzed and found constitutional by the supreme court of the United States in *South Dakota v. Wayfair*, 138 S.Ct. 2080 (2018).

SECTION 2. Tennessee Code Annotated, Section 67-6-501(f)(1), is amended by deleting the following language:

The marketplace facilitator made or facilitated total sales to consumers in this state of five hundred thousand dollars (\$500,000) or less during the previous twelve-month period;

and substituting instead the following:

The marketplace facilitator made or facilitated total sales to consumers in this state of one hundred thousand dollars (\$100,000) or less during the previous twelve-month period;

SECTION 3. Section 2 of this act shall take effect at 12:01 a.m. on October 1, 2020, the public welfare requiring it. All remaining sections of this act shall take effect upon becoming a law, the public welfare requiring it.

Senator Johnson moved that **Senate Bill No. 2677** be moved 3 places down on the Calendar for today, which motion prevailed.

Senate Bill No. 2821 -- Tourism -- As introduced, clarifies that accounting and legal services are exempted from the fee on sales of services and tangible personal property within central business improvement districts within tourism development zones. Amends TCA Title 7, Chapter 88 and Title 67, Chapter 4, Part 30.

Senator Dickerson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-88-106(a), is amended by inserting the following as a new subdivision (3):

(3)

(A) After the apportionment and distribution of state sales and use taxes pursuant to subdivision (a)(1) has ceased with respect to one (1) or more qualified public use facilities located in a center city area located in a municipality in a county having a population of not less than nine hundred thousand (900,000), according to the 2010 federal census or any subsequent federal census, the apportionment and distribution of the incremental increase in the local sales and use tax revenue with respect to such qualified public use facility shall continue until the earlier of:

(i) Thirty (30) years from the date it is reasonably anticipated that the facility will commence operations as a public use facility; or

(ii) The date the cumulative amount apportioned and distributed to the municipality under this subdivision (a)(3) with respect to such facility equals the indebtedness of the municipality or public authority, plus interest thereon, related to the cost of the public use facility payable from such amount.

(B) This subdivision (a)(3) does not affect the apportionment and distribution pursuant to subdivision (a)(1) of any state sales and use taxes generated by such qualified public use facility uses as described in subdivision (a)(3)(A).

(C) This subdivision (a)(3) does not affect the apportionment and distribution pursuant to subdivision (a)(1) of any local sales and use taxes generated by such

qualified public use facility hotel and related uses as described in subdivision (a)(3)(A).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2821**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Akbari, Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31

A motion to reconsider was tabled.

FURTHER ACTION ON SENATE BILL NO. 2097, AS AMENDED

Thereupon, **Senate Bill No. 2097**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

FURTHER ACTION ON SENATE BILL NO. 2677

Senator Watson moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 6, Part 5, is amended by adding the following new sections:

67-6-543.

(a) An out-of-state dealer that engages in the regular or systematic solicitation of consumers in this state through any means and makes sales that exceed one hundred thousand dollars (\$100,000) to consumers in this state during the previous twelve-month period shall register with the commissioner and begin to collect and remit the tax imposed by this chapter by the first day of the third calendar month following the month in which it met the threshold.

(b) Subsection (a) does not require a dealer to collect or remit the sales tax required by this section for sales made before October 1, 2020.

67-6-544.

The general assembly finds that the sales threshold standard required by § 67-6-543 matches the benchmark established by South Dakota that was analyzed and found to support it being upheld as constitutional by the supreme court of the United States in *South Dakota v. Wayfair*, 138 S.Ct. 2080 (2018).

67-6-545.

Section 67-6-543 does not change the substantial nexus criteria for determining when a person is required to pay the business tax under § 67-4-717, excise tax under § 67-4-2007, or franchise tax under § 67-4-2105.

SECTION 2. Tennessee Code Annotated, Section 67-6-501(f)(1), is amended by deleting the following language:

The marketplace facilitator made or facilitated total sales to consumers in this state of five hundred thousand dollars (\$500,000) or less during the previous twelve-month period;

and substituting instead the following:

The marketplace facilitator made or facilitated total sales to consumers in this state of one hundred thousand dollars (\$100,000) or less during the previous twelve-month period;

SECTION 3. Tennessee Code Annotated, Section 67-6-509(a), is amended by deleting the language "An out-of-state person making sales in Tennessee, who cannot be required to register for sales and use tax under applicable law" and substituting instead the language "An out-of-state person making sales in Tennessee, who is not required to register for sales and use tax under applicable law".

SECTION 4. Tennessee Code Annotated, Section 67-4-3204(c), is amended by deleting the subsection in its entirety.

SECTION 5. This act shall take effect at 12:01 a.m. on October 1, 2020, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **Senate Bill No. 2677**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 2826 -- Tourism -- As introduced, increases from 10 percent to 15 percent, the percentage of qualified voters who must sign a petition filed with the county election commission within 30 days of final approval of an ordinance by the municipal legislative body levying a privilege tax on sales in business activity in a qualified public use facility and in tourism development zones in order for the county election commission to call an election on the question of whether or not the privilege tax should be levied. Amends TCA Title 7, Chapter 88, Part 1 and Title 67, Chapter 4, Part 30.

Senator Dickerson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-4-3002, is amended by deleting subdivision (7) and substituting instead the following:

(7) "Qualified public use facility" or "public use facility" means:

(A) A building, complex, center, or facility described by § 7-88-103;

(B) A full-service hotel with not less than two hundred fifty (250) rooms and related retail, commercial, and parking space that is located in a tourism development zone; or

(C) A mixed-use development, including a full-service hotel with not less than one hundred fifty (150) rooms and including any retail, office, apartment, condominium, or other commercial or residential uses, that is located in a tourism development zone;

SECTION 2. Tennessee Code Annotated, Section 67-4-3003, is amended by deleting subdivision (c)(1)(A) and substituting instead the following:

(A)

(i) If such qualified public use facility is described in § 67-4-3002(7)(A), the date on which the cumulative amount, apportioned and distributed to the municipality under §§ 7-88-106(a) and 67-4-3005, equals either the cost of the qualified public use facility, plus any interest on indebtedness of the municipality or public authority related to the cost, or any lesser amount of the cost of the qualified public use facility and interest that may be established in authorizing the levy of the tax; or

(ii) If such qualified public use facility is described in § 67-4-3002(7)(B) or § 67-4-3002(7)(C), the date on which the cumulative amount, apportioned and distributed to the municipality under § 67-4-3005, equals either the cost of the qualified public use facility, plus any interest on indebtedness of the municipality or public authority related to the cost, or any lesser amount of the cost of the qualified public use facility and interest that may be established in authorizing the levy of the tax;

SECTION 3. Tennessee Code Annotated, Section 67-4-3005(a), is amended by deleting the subsection and substituting instead the following:

(a) The portion of the revenue received by the municipality from the tax, as is designated by the resolution of the municipality enacting the levy of tax set forth in this part, shall be deposited into a fund entitled the "qualified public use facility development fund," which shall be used:

(1) As set forth in § 7-88-106, if such qualified public use facility is described in § 67-4-3002(7)(A), for the purpose of paying the cost of the qualified public use facility and the costs of bonded indebtedness, principal and interest, including expenses of the bond sale or sales, incurred by the municipality or public authority in financing, acquiring, constructing, leasing, equipping, and renovating a qualified public use facility. The remaining revenue shall be deposited in the general fund of the municipality; or

(2) As set forth in this section, if such qualified public use facility is described in § 67-4-3002(7)(B) or (7)(C), for the purpose of paying the cost of the qualified public use facility and the costs of bonded indebtedness, principal and interest, including expenses of the bond sale or sales, incurred by the municipality or public authority in financing, acquiring, constructing, leasing, equipping, and renovating a qualified public use facility. The remaining revenue shall be deposited in the general fund of the municipality.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2826**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Akbari, Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 543 -- Personal Property -- As introduced, revises provisions governing notice for lien enforcement under the Tennessee Self-Service Storage Facility Act. Amends TCA Title 66, Chapter 31.

Senator Rose declared Rule 13 on **Senate Bill No. 543**.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 66-31-105(2)(E), is amended by deleting the subdivision and substituting the following:

(E) Any sale or other disposition of the personal property must be held at the self-service storage facility, online, or at the nearest suitable place to where the personal property is held or stored;

SECTION 2. Tennessee Code Annotated, Section 66-31-105(2)(F), is amended by deleting the following:

After expiration of the time stated in the notice and if the personal property has not otherwise been disposed, the owner shall advertise the sale of the personal property. Such advertisement of sale shall include, but not be limited to, the publishing one (1) time before the date of the sale of the personal property in a newspaper of general circulation which serves the area where the self storage facility is located. The advertisement shall include:

and substituting the following:

After expiration of the time stated in the notice and if the personal property has not otherwise been disposed, the owner shall advertise the sale of the personal property in a commercially reasonable manner. The manner of advertisement is deemed commercially reasonable if not less than three (3) potential bidders participate in the sale at the time and place advertised. The advertisement of sale may include, but not be limited to, the publishing one (1) time before the date of the sale of the personal property

in a newspaper of general circulation that serves the area where the self storage facility is located. An advertisement must include:

SECTION 3. Tennessee Code Annotated, Section 66-31-105(2)(K)(ii), is amended by deleting the following:

The facility owner shall contact the appropriate division in such manner as the division prescribes for the purposes of determining the existence and identity of any lien holder and the name and address of the owner of the vehicle, as shown in the records of the division. Within ten (10) days of receipt of such information concerning any lien holder and the owner of such motor vehicle, as shown in the division's records, the owner shall send a written notice to any such lien holder and to the owner, if such owner is not the occupant, by verified mail, stating that:

and substituting the following:

The facility owner shall contact the appropriate division in such manner as the division prescribes for the purposes of determining the existence and identity of any lien holder and the name and address of the owner of the vehicle as shown in the division's records. If the vehicle is a motor vehicle, then the facility owner may also contact the county clerk for the purposes of determining the existence and identity of any lien holder and the name and address of the owner of the motor vehicle as shown in the county clerk's records. Within ten (10) days of receipt of the information concerning any lien holder and the owner of the motor vehicle, as shown in the division's or county clerk's records, the facility owner shall send a written notice to any lien holder and to the motor vehicle owner, if the motor vehicle owner is not the occupant, by verified mail, stating that:

SECTION 4. This act shall take effect July 1, 2020, the public welfare requiring it.

Senator Gardenhire moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 543**, which motion prevailed by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1597 -- Motor Vehicles, Titling and Registration -- As introduced, authorizes, upon request, the department of revenue to issue salvage certificates to an insurance company or a salvage pool operator under certain circumstances. Amends TCA Title 55.

HOUSE AMENDMENT NO. 1

AMEND by deleting the language "salvage pool operator" wherever it appears in subdivision (d)(1) of SECTION 1 and substituting instead the language "salvage pool operator or an automotive dismantler and recycler".

AND FURTHER AMEND by deleting SECTION 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 55-3-201, is amended by adding the following as new, appropriately designated subdivisions:

() "Automotive dismantler and recycler" means a person who engages in the business of acquiring salvage vehicles for the purpose of recovering parts for resale;

() "Salvage pool operator" means a person who engages in the business of selling salvage vehicles at auction, including wholesale auction, or otherwise.

Senator Briggs moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 1597**, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Akbari, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1638 -- Alcoholic Beverages -- As introduced, designates The Register in Davidson County as a club for purposes of consuming alcoholic beverages on the premises. Amends TCA Title 57.

HOUSE AMENDMENT NO. 1

AMEND by deleting from subdivision (i)(b) in Section 1 the language "situated to the east of the Cumberland River and".

Senator Yager moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 1638**, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Akbari, Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2836 -- Traffic Safety -- As introduced, establishes requirements for the operation of personal delivery devices; specifies that a personal delivery device may be operated in pedestrian areas up to 10 miles per hour and is not considered a motor vehicle. Amends TCA Title 55, Chapter 1; Title 55, Chapter 10; Title 55, Chapter 12 and Title 55, Chapter 8.

HOUSE AMENDMENT NO. 1

AMEND by deleting subdivisions (a)(4)-(5) in the amendatory language of Section 5 and substituting instead the language:

(4) Not transport hazardous materials regulated under the Hazardous Materials Transportation Act (49 U.S.C. § 5103) that are required to be placarded under 49 CFR Part 172, Subpart F.

AND FURTHER AMEND by adding the word "and" after the semi-colon at the end of subdivision (a)(3) in the amendatory language of Section 5.

Senator Watson moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2836**, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senator Bell moved that the Speaker appoint a Conference Committee to meet with a like committee from the House to resolve the differences between the two Bodies on House Bill No. 394, which motion prevailed.

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 394**

The Speaker announced the appointment of a Conference Committee composed of Senators Bell, Chairperson; Kelsey and Kyle to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 394.

MOTION

Senator Dickerson moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 1782** on the calendar for the Committee on State and Local Government for Tuesday, June 9, 2020, which motion prevailed.

MOTION

Senator Watson moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 2878** on the calendar for the Committee on Finance, Ways and Means for Monday, June 8, 2020, which motion prevailed.

MOTION

Senator Johnson moved the Proposed Schedule for the week of June 8, 2020, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
111TH GENERAL ASSEMBLY**

**PROPOSED SCHEDULE
WEEK OF JUNE 8, 2020**

MONDAY, JUNE 8, 2020

***2:00 p.m. Finance, Ways & Means Committee**

4:00 P.M. SESSION – SENATE CHAMBER

TUESDAY, JUNE 9, 2020

8:30 a.m. Finance, Ways & Means Committee
10:30 a.m. State & Local Government Committee
12:00 p.m. Lunch
1:00 p.m. Commerce & Labor Committee
3:00 p.m. Judiciary Committee

WEDNESDAY, JUNE 10, 2020

8:30 a.m. Appropriations Subcommittee

10:00 A.M. SESSION – SENATE CHAMBER

2:00 p.m. Finance, Ways & Means Committee

THURSDAY, JUNE 11, 2020

10:00 A.M. SESSION – SENATE CHAMBER

MOTION

On motion of Senators Powers and Rose, their names were added as sponsors of **Senate Bill No. 247**.

On motion of Senators Akbari and Yarbro, their names were added as sponsors of **Senate Bill No. 1576**.

On motion of Senator Stevens, his name was added as sponsor of **Senate Bills Nos. 1727 and 2771**.

On motion of Senator Gilmore, her name was added as sponsor of **Senate Bills Nos. 1925 and 2199; Senate Joint Resolution No. 1298; and Senate Resolution No. 154**.

On motion of Senator Pody, his name was added as sponsor of **Senate Bill No. 2097; and House Joint Resolution No. 1042**.

On motion of Senator Rose, his name was added as prime sponsor of **Senate Bill No. 2681**.

On motion of Senator Massey, her name was added as sponsor of **Senate Joint Resolutions Nos. 1013 and 1014; and House Joint Resolutions Nos. 1045 and 1150**.

On motion of Senators Massey, Haile, Powers, Southerland and Stevens, their names were added as sponsors of **Senate Joint Resolution No. 1280**.

On motion of Senators Massey, Haile, Roberts, Southerland and Stevens, their names were added as sponsors of **Senate Joint Resolution No. 1283**.

On motion of Senators Massey and Southerland, their names were added as sponsors of **Senate Joint Resolution No. 1297**.

On motion of Senators Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Mr. Speaker McNally and Senators Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager and Yarbrow, their names were added as sponsors of **Senate Resolution No. 156**.

On motion of Senator Yager, his name was added as sponsor of **House Joint Resolutions Nos. 1040 and 1041**.

On motion of Senator Roberts, his name was added as sponsor of **House Joint Resolutions Nos. 1043 and 1067**.

On motion of Senator Reeves, his name was added as sponsor of **House Joint Resolutions Nos. 1046, 1151, 1152 and 1195**.

On motion of Senators Jackson and Reeves, their names were added as sponsors of **House Joint Resolution No. 1052**.

On motion of Senator Jackson, his name was added as sponsor of **House Joint Resolution No. 1053**.

On motion of Senator Bell, his name was added as sponsor of **House Joint Resolution No. 1144**.

ENGROSSED BILLS

June 4, 2020

THURSDAY, JUNE 4, 2020 -- 60TH LEGISLATIVE DAY

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolutions Nos. 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327 and 1328; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON
Deputy Chief Clerk

ENGROSSED BILLS

June 4, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 1727, 1778, 1956, 2097, 2677, 2771, 2821 and 2826; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

June 3, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2629 and 2775; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 3, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1628, 2045, 2355, 2467, 2588, 2615, 2660 and 2769; passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 4, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 773, 1689, 1839, 2007, 2097, 2134, 2276, 2317, 2397, 2461, 2476 and 2761; passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 4, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1667 and 1923; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 3, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191 and 1192; adopted, for the Senate's action.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

June 4, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1193, 1194, 1195, 1196 and 1197; adopted, for the Senate's action.

TAMMY LETZLER
Chief Clerk

ENROLLED BILLS

June 4, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 1626, 1733, 1887, 2066, 2189, 2190, 2261, 2629 and 2775; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON
Deputy Chief Clerk

SIGNED

June 3, 2020

The Speaker announced that he had signed the following: Senate Bills Nos. 1575, 1881, 2072, 2161, 2162, 2344, 2423, 2719, 2733 and 2739.

MESSAGE FROM THE HOUSE

June 3, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1575, 1881, 2072, 2161, 2162, 2344, 2719, 2733 and 2739; signed by the Speaker.

TAMMY LETZLER
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

June 4, 2020

2741

UNOFFICIAL VERSION

THURSDAY, JUNE 4, 2020 -- 60TH LEGISLATIVE DAY

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 1575, 1881, 2072, 2161, 2162, 2344, 2719, 2733 and 2739; Senate Joint Resolutions Nos. 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1263, 1264, 1266, 1267, 1268, 1269, 1270 and 1271; for his action.

ALAN WHITTINGTON
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

June 5, 2020

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1263, 1264, 1266, 1267, 1268, 1269, 1270 and 1271; with his approval.

LANG WISEMAN,
Deputy & Counsel to the Governor

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, June 8, 2020: Senate Joint Resolutions Nos. 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1311, 1312, 1313, 1314, 1315, 1316 and 1317; Senate Resolutions Nos. 160, 161 and 162; and House Joint Resolutions Nos. 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191 and 1192.

This the 4th day of June, 2020
JACKSON, Chairperson

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, June 8, 2020: Senate Bills Nos. 811, 1247, 1608, 1685, 1694, 1700, 1896, 2342 and 2843.

This the 4th day of June, 2020
JACKSON, Chairperson

**REPORT OF COMMITTEE ON CALENDAR
MESSAGE CALENDAR**

THURSDAY, JUNE 4, 2020 -- 60TH LEGISLATIVE DAY

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Monday, June 8, 2020: Senate Bills Nos. 1009, 1754, 2268, 2332 and 2620.

This the 4th day of June, 2020
JACKSON, Chairperson

ADJOURNMENT

Senator Johnson moved the Senate adjourn until 4:00 p.m., Monday, June 8, 2020, which motion prevailed.